



# BRITISH ENACTMENTS

## In Force in Indian States

### VOLUME I

## States in Direct Relation with the Government of India

1—Statutes in force

2—Acts of the Governor General in  
Council and of the Indian  
Legislature in force

3—Orders under Statutes in force

In Baluchistan, North-West Frontier, Kashmir, Punjab States Agency and  
Sikkim.

4—Orders under Acts of the Governor  
General in Council and of  
the Indian Legislature

5—Acts locally applied

6—Orders relating to Courts.

7—Local or Special Laws

8—Orders under Acts locally applied

COMPILED BY

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Government of India, Legislative Department.*

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## PREFACE TO THE FIRST EDITION.

THESE Volumes contain all the information I have been able to collect concerning the British Enactments in force in the Native States in India.<sup>1</sup>

2. The term “British Enactments,” as used in these volumes, includes—

- (I) the Enactments made by the British Legislature in exercise of the general jurisdiction which it possesses over its subjects and servants in all Native States, and
- (II) the Enactments made by or under the authority of the British Indian Executive Government in exercise of the special jurisdiction which it has acquired, usually over all persons, in certain Native States or places therein.

3. “The distinction between these two classes of Enactments has been observed in classifying the British Enactments in force in the Native States dealt with in these volumes, the Enactments in force in each local area having been placed under separate heads according as they belong to one or other of these classes. Enactments which purport to be solely made under the authority of the Legislature, or which appear to be limited to the classes of persons with which the Legislature can deal, have been arranged under one head and styled “British-Indian Enactments;” whilst Enactments which purport to be made, in whole or in part, under the special authority of the Executive Government above described, or which do not appear to be limited to the classes of persons with which the Legislature can deal, have been arranged under a different head, having as its title the name of the particular place for which the Enactments have

<sup>1</sup> *i.e.*, the territories of any Native Prince or Chief under the suzerainty of Her Majesty exercised through the Governor-General of India, or through any Governor or other officer subordinate to the Governor-General of India—*see* 52 and 53 Vict., cap. 68, s. 18 (5).

<sup>2</sup> There are certain exceptions to the general rules laid down in this paragraph, which are noticed in the body of the Lists.



been made with the word " British " prefixed. Broadly speaking, the " British-Indian Enactments " are personal laws applicable only to British subjects or servants, whilst the other Enactments are territorial laws applicable to all persons in the particular places to which they respectively refer.

4. The minor classification under each of these heads is identical, the Enactments being arranged, as far as possible, in separate lists, as they are of the nature of—

- (1) Principal Enactments, that is, Enactments made under the immediate authority of the Legislature or the Executive Government, consisting of—

*A.—Enactments of the Legislature—*

- (a) Statutes,
- (b) Acts of the Governor-General in Council<sup>1</sup>;

*B.—Enactments of the Executive Government—*

- (a) Enactments of the British-Indian Legislatures applied,
- (b) Special Laws; or

- (2) Subordinate Enactments, that is, Enactments (Rules and Orders), made under authority conferred in this behalf by Principal Enactments.

5. " Special Laws " are new laws made by the Executive Government for places in which it has acquired special jurisdiction, while " Enactments of the British-Indian Legislatures applied " are, as their title indicates, existing British-Indian Enactments which have, by order of the Executive Government, been adopted, usually with certain modifications, as laws in such places. Though there is no material distinction between these two kinds of Enactments, it has been found convenient to arrange them in separate groups in these volumes.

<sup>1</sup> Strictly speaking, all the Enactments of the Legislatures established in this country are Subordinate Enactments, inasmuch as the Indian Legislatures derive their authority solely from Parliamentary Enactments; but for the purposes of these Lists, Acts of the Governor-General in Council are classified as on the same footing with Statutes.

6. A general classification of the British Enactments which may be made for the Native States in India, and a detailed classification of the various British Enactments actually in force in the Native States dealt with in each volume, which have been prepared in accordance with the above remarks, will be found in Statements Nos. I and II, prefixed to these volumes (pages xi and xii).

7. The Enactments which the various Native States may have made for their respective territories are beyond the scope of this work.

8. For the convenience of local officers, each volume contains (*see* Part I) the British Enactments in force generally in all Native States in India, as well as the Enactments in force locally in the particular Native States with which it deals.

9. Numerous references to Aitchison's Treaties have been inserted, which will, it is hoped, add to the usefulness of these Lists. The revised edition of 1876 is the one referred to.

10. A short alphabetical index of names of places has been appended for convenience of reference.

11. In compiling the volumes—

(a) Rules and Orders of a temporary nature or conferring powers on persons by name have, as a rule, been omitted; and

(b) Special Laws and Subordinate Enactments, which are not to be found in the Codes published by the Legislative Department, have, as a rule, been set out *in extenso*.

12. Mr. G. R. Ridge of the Legislative Department Office has assisted me in the preparation of these Lists, and Mr. F. G. Wigley, the Officiating Under Secretary, has kindly undertaken to supervise the passing of the final proof through the Press and the insertion of such Enactments as may be issued after this date.

13. Lastly, it must be stated that these volumes are not authoritative, and that the Government of India is in no way

responsible for their contents. They have been compiled by me from the Official Gazettes, supplemented by local information obtained through the Foreign Department. Though I have made them as complete and accurate as was possible, having regard to the materials at my disposal and the limited time which I have been at liberty to devote to the work, I am fully conscious of their many defects. At the same time I hope that notwithstanding their imperfections, the volumes will be found to be of some practical value to Political Officers and others desirous of obtaining information concerning the British Enactments in force in the Native States in India.

J. M. MACPHERSON.

SIMLA;

The 27th October 1890.

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In his recent valuable work, "The Protected Native States of India," Mr. Lee-Warner states (see page 366), that if the reader "refers to the official Gazettes of the Indian Government he will find many scores of pages devoted annually to the judicial notifications published by the political offices of the Empire. The law relating to the Native States fills thousands of pages." The object of the work now being brought to completion has been to save the labour and trouble involved in referring to the official Gazettes for these Notifications by supplying information in a classified form as to their contents. Though the work only professes to contain lists of the Notifications in question, it will be found on examination that, except in the case of the two first volumes, which do not, as a rule, reproduce the subordinate Enactments, the whole of each Notification referred to in these volumes is set out *in extenso* either in the last column of the Lists or in the appendices, so that a reference to the Gazettes, even for the purpose of ascertaining the exact words of a Notification, has been rendered unnecessary. Indeed, if used in conjunction with the "Codes" published by the Legislative Department, which contain the Statutes, Acts, and Regulations mentioned in the Lists, these volumes ought to form a fairly complete handbook to the British Enactments now in force in the Native States of India.

The subject of the relations between the British Government and the Native States of India has of late been brought before the public not only in Mr. Lee-Warner's work above mentioned, but also in Mr. Tupper's no less valuable work, "Our Indian Protectorate." In both these volumes these relations have been treated of chiefly from a politico-historical point of view. In his earlier work, entitled "A Collection of Treaties, Engagements, and Sanads relating to India and neighbouring countries," of which a revised edition has recently been published, Sir Charles Aitchison dealt very fully and comprehensively with the same subject, mainly from the standpoint of our contractual relations towards these States. In these and the previous volumes of this work an attempt has been made to approach this subject from what may be described as its legal or jurisdictional aspect, the object being to show the extent to which British-made law applies to these Native States, and, though these volumes are practically little more than compilations of information which is available to any one who chooses to study the Gazettes, they will perhaps help to throw light on what has hitherto been a somewhat confusing branch of the subject.

J. M. MACPHERSON.

SIMLA;

*The 1st January 1895.*



## PREFACE TO THE SECOND EDITION.

**I**N preparing for publication the second edition of this work one important alteration has been introduced which, it is hoped, will render it more useful for purposes of reference. In the first edition the Enactments were merely summarized and included in the lists, with the exception of certain special ones, which were reproduced *in extenso* in Appendices: in the present edition, however, all Enactments which have been issued by the Government of India have been reproduced *in extenso*, except in so far as they are to be found in the volumes of General Acts of the Governor-General in Council, or in one of the Provincial Codes. In such cases full references are given: and the chronological lists which formed the basis of the first edition are only retained in a simplified form to serve the purposes of a table or index. In its present form it is hoped that the work may be regarded as a not inadequate supplement to the General Acts of the Governor-General in Council and the Provincial Codes.

2. A general nominal index has been added at the end of the sixth Volume (the Western Indian Volume) for facility of reference.

3. Mr. Macpherson, the Secretary to the Government of India in the Legislative Department, who compiled the first edition, has kindly permitted me to consult him in matters regarding the general scheme of the work, and I have to express my obligations to him for his advice. I have also had the assistance of Mr. Ridge of the Legislative Department Office, who has been most useful in helping to prepare the volumes for Press.

A. WILLIAMS.



## PREFACE TO THE THIRD EDITION.

**I**N this, the third, edition of “ British Enactments in force in Native States,” the system of arrangement has been altered from that adopted by Mr. (now Sir John) Macpherson in the first edition. States in relation with the Government of India, with the Administered Areas situated in them, have been grouped (Volumes I-III) apart from those in relation with Local Governments (Volume IV), while one Volume (V) is devoted to Railways wherever situated. Again orders under Acts applied and under Local Laws have been separated from the rest of the enactments, and form Volumes II and III in the case of the first group of States, and Part II of Volume IV in the case of the second group, and Part II of Volume V in the case of railways. Lastly, for convenience of reference, orders relating to Courts have been entered under a separate sub-head in each chapter in Volumes I, IV, Part I, and V, Part I. In the Appendices have been collected all orders to which there are constant references in the body of the work, or which it is convenient to group together for purposes of comparison, such as orders relating to the appointment of Justices of the Peace, of Marriage Registrars, and of Registrars of Births and Deaths.

Each Volume states the law as in force on the 19th April 1913.

O. V. BOSANQUET.

SIMLA;  
The 24th April 1913.





## PREFACE TO THE FOURTH EDITION.

**I**N this edition the general scheme of arrangement has been maintained. "Orders under Acts locally applied" and "Orders under Local Laws" have, however, been printed immediately following other enactments relating to the same areas instead of in a separate Part or volume. In the case of Administered Areas "Orders relating to Courts", which in the previous edition were placed between "Acts locally applied" and "Local Laws" have been printed after the latter. Notifications applying to particular areas have been transferred to the body of the work from the Appendices, which have thus been much reduced by restricting them almost entirely to notifications applying to all or several of the Agencies. The Tables of Contents have been amplified and other formal changes of a minor character have been introduced for facility of reference. Headings and sub-headings have been printed across the page (instead of in the margin) with the addition of a general heading on each page, and this arrangement, which is more economical, will also, it is believed, be found more convenient for purposes of reference. It has been necessary to include a great deal of new matter with the result that a separate volume has been devoted to each of the larger Agencies.

2. The bulk of this compilation is necessarily concerned with the enactments in force in Administered Areas, as, practically, each Administered Area has now a complete code of its own, while in State territory (apart from Administered Areas and areas where special jurisdiction has been ceded) British enactments are only in force to a very limited extent.

3. It may be of use to add a few remarks regarding each of the different classes of "British enactments"<sup>1</sup> comprised in these volumes.

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<sup>1</sup> As regards the expression "British enactments" see paragraph 2 of the Preface to the 1st Edition. It is a term of convenience which includes what might more appropriately be described as "British Indian enactments".

4. The enactments in force in State territory (other than Administered Areas) are classified as follows:—

*I.—Statutes, i.e., Acts of Parliament.*

Such Acts have generally speaking no territorial application in the States in India. Some of them, however, extend as a personal law to subjects or servants of the Crown, wherever they may be. In the previous editions a short list of such Statutes was included. It has not been considered necessary to re-print this list. It would be a matter of great difficulty (involving an examination of the whole of the British Statute Book) to make a complete list of all Statutes which contain any provisions which might be held applicable to British subjects in Indian States. Such a list would include, *e.g.*, the Army Act and the Air Force Act which apply to His Majesty's British forces, wherever they may be, the Official Secrets Act, 1911, which relates to offences under the Act committed by British officers or subjects anywhere, and the British Nationality and Status of Aliens Act, 1914, in so far as it operates to confer British Nationality in certain cases on persons born out of His Majesty's dominions. It is necessary, however, to specify the Foreign Jurisdiction Act, 1890 (providing for the exercise of His Majesty's jurisdiction out of His dominions) under which has issued the Indian (Foreign Jurisdiction) Order in Council, 1902, which empowers the Governor General in Council to make provision for the exercise of such jurisdiction as is possessed by the Crown in Indian States. It is also necessary to mention the Government of India Act<sup>1</sup> in so far as it enables the Indian Legislature to legislate for all subjects of His Majesty and servants of the Crown in parts of India outside British India, and for the Government of His Majesty's Indian forces, wherever they may be serving (section 65), and for the discipline of any naval forces raised by the Governor General in Council (section 66), and empowers the Governor

<sup>1</sup> i.e., the Government of India Act, 1915 (5 & 6, Geo. 5, c. 61) as amended by the following Acts 6 & 7, Geo. 5, c. 37; 9 & 10, Geo. 5, c. 101; 15 & 16, Geo. 5, c. 83; 17 & 18, Geo. 5, c. 8; 17 & 18, Geo. 5, c. 24; and 17 & 18, Geo. 5, c. 40.

General in Council to authorise any High Court in British India to exercise all or any portion of its jurisdiction in respect of any British subject for the time being within any part of India outside British India (section 109).

## II.—*Orders under Statutes.*

Only a few Orders are included under this head, and these are Orders, specifically relating to Indian States, made under such Statutes as are mentioned above. The principal of these Orders is the Indian (Foreign Jurisdiction) Order in Council, 1902<sup>1</sup>, which is of fundamental importance, as it is under the powers delegated by this Order that almost all the main notifications have been issued which provide for the exercise of jurisdiction in State territory and for the administration of the Administered Areas. The only other Order of importance under this head is the one which provides for the exercise of jurisdiction by High Courts in British India over European British subjects in Indian States, which was issued under section 109 of the Government of India Act.

## III.—*Acts of the Governor General in Council and of the Indian Legislature.*

By section 65 of the Government of India Act the Indian Legislature is empowered to make laws not only for British India but also for European subjects of His Majesty and servants of the Crown (whether British subjects or not) in other parts of India and for native Indian subjects of His Majesty, wherever they may be, and there are similar provisions in earlier Statutes empowering the Governor General in Council to legislate in the same way. It is only to this extent that an Act of the Governor General in Council or of the Indian Legislature is capable of being in force in the Indian States and no such Act is so in force unless provision on this behalf is made in the extent clause. A list of Acts so in force is given in Appendix II. This list has, in this edition, been confined strictly to those Acts which have an actual application to specified classes of

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<sup>1</sup> Printed in Appendix I.

persons in the Indian States. Certain other Acts, which are not in force beyond the limits of British India but which contain provisions specially affecting the States, have been separately enumerated in Appendix III.

#### IV.—*Orders under Acts of the Governor General in Council and of the Indian Legislature.*

These are such Orders made under enactments of Class III as relate specifically to Indian States. They thus have the same limited application, *i.e.*, they apply only to British subjects or a particular class of British subjects, or to servants of the Crown, in the States. Other Orders under these enactments will be found in "General Statutory Rules and Orders, 1925". Some Rules and Orders are cited (as in the previous editions) which are not actually in force in the States but which specially affect the States. Their inclusion, though not strictly logical, is probably of some convenience, and, to guard against misunderstanding, footnotes have been added where necessary.

#### V.—*Orders relating to Courts.*

These are Orders of a miscellaneous character [mostly issued under the Indian (Foreign Jurisdiction) Order in Council, 1902,] relating to the exercise by Courts established by the Governor General in Council of such jurisdiction as is possessed by the Governor General in Council in State territory. For convenience of reference, however, some other Orders are included which affect the State Courts (the Courts of the Durbar), *e.g.*, empowering Courts in British India or in Administered Areas to serve summons or execute decrees of such Courts.

5. In a number of States there are Administered Areas which are parts of the State in which they are situated but are occupied as British Cantonments or as the Headquarters of an Agency or Residency. In these areas the sovereignty remains with the Durbar but the jurisdiction necessary for purposes of administration has been ceded to or otherwise acquired by the British Government. For these areas the Governor General in

Council legislates under the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, either—

- (1) by applying (with such modifications as may be suitable) British or, in the vast majority of cases, British Indian enactments, or
- (2) by making new laws especially for the area or areas concerned.

In certain cases the Governor General in Council has delegated his powers under the Order<sup>1</sup> in Council.

6. The enactments in force in Administered Areas are divided into the following classes :—

I to IV. *As above*.—Enactments which are in force in a State operate also in an Administered Area within that State.

V. *Acts locally applied*.—These are the British or British Indian enactments applied as mentioned in paragraph 5 above.

VI. *Local Laws*.—These are the Laws made specially for the area or areas concerned.

VII. *Orders relating to Courts*.—These are Orders collected for convenience under this head relating to the establishment and jurisdiction of Courts in these areas and to subsidiary matters and are made under the Foreign Jurisdiction Order in Council or under the Criminal or Civil Procedure Codes, or other Acts, as applied to the areas.

VIII. *Orders under Acts locally applied*.—These are orders made for Administered Areas under the Acts applied to those areas, and are issued by the Governor General in Council<sup>2</sup> or by the Political Agent or Resident according as the rule-making power vests in the Governor General in Council or in the “Local Government”.

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<sup>1</sup> i.e., to the Governor of Bombay in Council in regard to the States in political relations with the Bombay Government, and to the Agent to the Governor General in the Western India States Agency in respect to the States included in that Agency.

<sup>2</sup> or, in the case of the States mentioned in the footnote above, by the Governor of Bombay in Council or the Agent to the Governor General, Western Indian States, respectively.

IX. *Orders under Local Laws.*--Similarly these are subordinate enactments made under the Local Laws in force in the Administered Areas.

7. Apart from the "Administered Areas" (as described above) the Governor General in Council has in some cases acquired special jurisdiction over some of the State territories, *ie.g.*, in certain States or Estates in the Western India States Agency and in the Bombay States). The laws made or applied in the exercise of this special jurisdiction are in this compilation termed "Special Laws".

8. This Edition presents the law in force on the 31st May 1929.

G. G. HOOPER.

SIMLA;  
The 31st May 1929.

# British Enactments in Force in Indian States, Volume I.

## CHAPTER I.—BALUCHISTAN.

The territories constituting the charge of the Agent to the Governor-General in Baluchistan consist of—

A.—The Territories of His Highness the Khan of Kalat and those of the Jam of Las Bela.

For the relations of the British Government with these States, which are conducted through the medium of the Agent to the Governor-General, Baluchistan, *see* Aitchison's *Treaties*, Ed., IV., Volume IX, Part III, pages 373-409, and subsequent agreements.

B.—The territories administered by the Agent to the Governor-General in Baluchistan as such Agent (commonly called the Baluchistan Agency Territories) wherein jurisdiction has been absolutely ceded or otherwise acquired.

The Baluchistan Agency Territories, divided into the districts of Quetta, Kohlu and Nasirabad, Loralai, Zhob, Bolan, Nushki and Kachhi Railway, and Chagai, are under fully organized British administration, each district forming the charge of a Political Agent.\*

\* NOTE.—The Agent to the Governor General is *ex-officio* Chief Commissioner of the Chief Commissionership of British Baluchistan, divided into the districts of Pishin, Sibi and Duki. Political Agents are also in charge, as Deputy Commissioners, of portions of British Baluchistan, the distribution being as follows:—

Name of District.	Parts in British Baluchistan.	Parts in Agency Territories.
Quetta-Pishin	Pishin and Chaman Tahsils (Pishin District).	Quetta Tahsil (Quetta District).
Sibi	Sibi and Shahrig Tahsils (Sibi District).	Nasirabad and Kohlu Tahsils (Kohlu and Nasirabad District).
Loralai	Duki Tahsil (Duki District).	Bori Tahsil. Musa Khel Tahsil. Sinjawi Tahsil. Burkhan Tahsil. } Loralai District.
Bolan, Nushki and Kachhi Railway District (in charge of Political Agent, Kalat).	Nil	The whole District.
Zhob	Nil	The whole District.
Chagai	Shorarud Tahsil (Shorarud District).	Nushki and Dalbandin Tahsils (Chagai District).



2 THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT AND OF THE JAM OF LAS BELA.—(I.—Statutes.—II.—Acts of the Governor General in Council and of the Indian Legislature.—III.—Orders under Statutes.)

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A.—THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT AND OF THE JAM OF LAS BELA.

The following British enactments are in force in these territories:—

I.—Statutes.<sup>1</sup>

II.—Acts of the Governor General in Council and of the Indian Legislature.—See Appendix II.

III.—Orders under Statutes.

No. 1664-P., dated the 13th July, 1877.—The following order of Her Majesty in Council is published for general information:—

39 and 40  
Vict., c., 46.

AT THE COURT AT WINDSOR.

The 30th day of April, 1877.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-ninth and fortieth years of Her Majesty's reign, intituled "An Act for more effectually punishing offences against the laws relating to the Slave Trade," it is, amongst other things, enacted that—

If any person, being a subject of Her Majesty, or of any Prince or State in India in alliance with Her Majesty, shall, upon the High Seas or in any part of Asia or Africa which Her Majesty may from time to time think fit to specify by any Order in Council in this behalf, commit any of the offences defined in sections 367, 370 and 371 (in the schedule to this Act respectively recited) of Act XLV of 1860, passed by the Governor-General of India in Council, and called "The Indian Penal Code," or abet, within the meaning of the fifth chapter of the said Penal Code, the commission of any such offence, such person shall be dealt with in respect of such offence or abetment as if the same had been committed in any place within British India in which he may be or may be found.

Now, therefore in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the said Act shall apply to the several parts of Asia and Africa hereinafter specified; that is to say—

- (a) The territories of the Khan of Kalat and of the Sultan of Muscat in Mekran and Arabia.

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<sup>1</sup> Not enumerated. See Preface to this Edition, paragraph 4.

- (b) The coasts of Baluchistan, and of the Bunder Abbas Districts, and the shores of the Persian Gulf.
- (c) The coast of Arabia from Ras Mussendom to Cape Babel-Mandeb.
- (d) The territories of the following tribes near Aden, namely,—
 

The Abdali.	The Amiri.
The Foodli.	The Subahi.
The Akrahi.	The Yafai.
The Howshahi.	The Oulaki.
The Alawi.	
- (e) The coast of Africa from Ras Sejarne to Delagoa Bay.
- (f) The territories of the Sultan of Zanzibar.
- (g) The sea and islands within ten degrees of latitude or longitude from such coasts and shores, respectively.

And the Right Honourable the Marquis of Salisbury and the Right Honourable the Earl of Derby and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

[*Gazette of India*, 1877, Pt. I, p. 381.]

53 and 54      The Indian (Foreign Jurisdiction) Order in Council, 1902.—See  
 Vict., c. 37.      Appendix I.

5 and 6 Geo.      No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High  
 V., c. 61.      Courts over European British subjects).—See Appendix IV.

4 THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT AND THE  
JAM OF LAS BELA.—(IV.—*Orders under Acts of the Governor  
General in Council and of the Indian Legislature.*)

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IV.—Orders under Acts of the Governor General in  
Council and of the Indian Legislature.

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

*Appointment of Marriage Registrar.*

No. 4835, dated the 16th October, 1903.—In exercise of the powers conferred by the notification of the Government of India in the Foreign Department, No. 3746-I. B., dated the 1st October, 1897, with respect to section 8 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Agent to the Governor-General is pleased to appoint the person for the time being holding the office of Political Agent, Kalat, being a Christian, to be Marriage Registrar for the territories of His Highness the Khan of Kalat and those of the Jam of Las Bela.

[*Gazette of India*, 1903, Pt. II, p. 1158.]

*Delegation to the Agent to the Governor General of powers under sections 6, 8 and 9.*

No. 3746-I. B., dated the 1st October, 1897.—Printed *infra*, page 10.  
*Fees and rules.*

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

INDIAN ARMS ACT, 1878.

*Exemption of certain persons from certain prohibitions and directions contained in the Act. Rules regarding the export of arms and ammunition from, and their import into, British India.*

No. F. 829-I-22, dated the 3rd November, 1923. (The Indian Arm-Rules, 1924).—Printed in Appendix XXIII.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

*Appointment of Registrar of Births and Deaths.*

No. 3908-II., dated the 9th October, 1926.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), as amended by Devolution Act of 1920, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to appoint the person for the time being holding the office of the Political Agent, Kalat, to be a Registrar of Births and Deaths for the territories of His Highness the Khan of Kalat and those of the Jam of Las Bela, in respect of the classes indicated in section 11, sub-section (1), clause (b), of the said Act.

[*Gazette of India*, 1926, Pt. II-A, p. 375.]

THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT AND THE 5  
JAM OF LAS BELA.—(IV.—*Orders under Acts of the Governor  
General in Council and of the Indian Legislature.*)

INDIAN FOREIGN MARRIAGE ACT, 1903.

*Fees and rules.*

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

*Offences under the Criminal Tribes Act declared to be extradition  
offences.*

No. 4806-I. B., dated the 17th November, 1919.—Printed in Appendix VIII.

*Rules under the Act.*

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix VIII.

INDIAN UNIVERSITIES ACT, 1904.

*Inclusion of Baluchistan in the territorial limits of the Punjab University.*

No. 717, dated the 20th August, 1904.—Printed in Appendix IX.

OFFICIAL TRUSTEES ACT, 1913.

*Inclusion of Kalat and Las Bela in the Presidency of Bombay for purposes of the Act.*

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

*Kalat and Las Bela included in Presidency of Bombay for purposes of the Act.*

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix XIII.

*Exercise of the powers and duties of a District Judge under the Act.*

No. 3542-I., dated the 27th August, 1891.—Printed in Appendix XIII.







**V.—Orders relating to Courts.**

*Execution of capital sentences in British India.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

*Jurisdiction of the High Court at Lahore over European British subjects in Kalat and Las Bela.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit for trial to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

*Appointment of Justices of the Peace.*

No. 93-I. B.-S., dated the 1st April, 1919.—Printed *infra.* page 57









## B.—BALUCHISTAN AGENCY TERRITORIES.

The enactments for the time being in force in British Baluchistan, with the exception of the Indian Naturalisation Act, 1926, have been brought into force in the Baluchistan Agency Territories by the following notification of the Government of India:—

*No. 347-F., dated the 23rd May, 1929.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of the notification of the Government of India in the Foreign Department, No. 1603-I. B., dated the 28th July, 1911, the Governor General in Council is pleased to determine the law and procedure to be observed in the Baluchistan Agency territories, namely, the territories specified in the Schedule hereto annexed, as follows:—

1. All enactments, except the Indian Naturalisation Act, 1926 (VII of 1926), which are now or may hereafter be in force in British Baluchistan, and all notifications, rules, orders or bye-laws made or which may hereafter be made under such enactments shall, unless otherwise declared by the Agent to the Governor General with the previous sanction of the Governor General in Council, be deemed to be in force in the said territories.
2. For the purpose of facilitating the application of any of the afore-said enactments, notifications, rules, orders or bye-laws, any Court in the said territories may construe them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court.

### *Schedule.*

1. The Quetta District.
2. The Kohlu and Nasirabad District.
3. The Bolan, Nushki and Kachhi Railway District.
4. The Loralai District.
5. The Zhob District.
6. The Chagai District.

[*Gazette of India*, 1929, Pt. I, p. 753.]

In addition the following enactments are separately in force:—

- I.—Orders under Statutes.—*See infra*, page 10.
- II.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—*See infra*, pages 10 to 13.
- III.—Acts separately applied.—*See infra*, pages 15 to 19.

10 BALUCHISTAN AGENCY TERRITORIES.—(I.—Orders under Statutes.—  
II.—Orders under the Acts of the Governor General in  
Council and of the Indian Legislature.)

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IV.—Local Laws.—*See infra*, pages 21 to 55.

V.—Orders relating to Courts.—*See infra*, pages 57 to 80.

VI.—Orders under Acts and Regulations applied.—*See infra*,  
pages 81 to 189.

VII.—Orders under Local Laws.—*See infra*, pages 191 to 252.

**I.—Orders under Statutes.**

No. 477, dated the 21st August, 1885.—His Excellency the Governor-General in Council is pleased, under the authority of section 133 of the Army Act, to set apart the undermentioned buildings as a Military Prison, namely:—

The buildings or parts of buildings used as Garrison cells in the Quetta Cantonment.

[*Gazette of India*, 1885, Pt. I, p. 502.]

No. 478, dated the 21st August 1885.—His Excellency the Governor-General in Council is pleased, under the authority of section 133 of the Army Act, to set apart the buildings or parts of buildings at the undermentioned station as part of the Military Prison at that station and hereby declares the same to be part of such Military Prison, namely:—

Quetta.—The two rooms in the centre of the south wing of the Station Hospital.

[*Gazette of India*, 1885, Pt. I, p. 502.]

The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* 53 and 54 Appendix I. Vict., c. 37.

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High Courts over European British subjects).—*See* Appendix IV. 5 and 6 Geo. V., c. 61.

**II.—Orders under Acts of the Governor General in Council and of the Indian Legislature.**

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

*Delegation to the Agent to the Governor General of powers under sections 6, 8 and 9.*

No. 3746-I. B., dated the 1st October, 1897.—In exercise of the power conferred by section 86 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased to delegate to the Agent to the Governor General in Baluchistan the powers and functions given to the Governor General in Council under sections 6, 8 and 9 of the said Act, as regards the territories administered by him as such

Agent, and as regards the territories of His Highness the Khan of Kalat and those of the Jam of Las Bela.

[*Gazette of India*, 1897, Pt. I, p. 873.]

*Fees and Rules.*

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

INDIAN ARMS ACT, 1878.

*Exemption of certain persons from certain prohibitions and directions contained in the Act.*

*Rules regarding the export of arms and ammunition from, and their import into, British India.*

No. F. 829-I-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924).—Printed in Appendix XXIII.

INDIAN SALT ACT, 1882.

*Exemption from duty of salt imported into British India from Agency territories when duty has been paid in those territories.*

<sup>1</sup>No. B.-129-1, dated the 1st March, 1922.—In exercise of the powers conferred by section 7 of the Indian Salt Act, 1882 (XII of 1882), and in supersession of the Notification of the Government of India in the Department of Commerce and Industry, No. 1547-Exc., dated the 1st March, 1916, the Governor General in Council is pleased to direct that no duty shall be levied in respect of salt imported into British India (including British Baluchistan) from the territories administered by the Agent to the Governor General in Baluchistan as such Agent, provided that duty has already been levied on such salt in the said territories at the rate imposed by the law for the time being in force in those territories.

[*Gazette of India, Extraordinary*, 1922, p. 230.]

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886<sup>2</sup>.

*Appointment of Registrars and Registrar-General.*

No. 3075-F. B., dated the 6th October, 1903.—In exercise of the power conferred by section 13 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), the Governor General in Council is pleased to appoint—

- (1) the person holding the office of Political Agent, Quetta, for the time being, to be Registrar of Births and Deaths for the Quetta District;

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<sup>1</sup> Cf. Notification No. 165-F., dated the 1st March, 1922. Printed *infra*, p. 105.

<sup>2</sup> For orders under the Act as applied see *infra*, p. 106.

- (2) the person holding the office of Political Agent, Zhob, for the time being, to be Registrar of Births and Deaths for the Zhob District;
- (3) the person holding the office of Political Agent, Kalat, the Bolan pass and Nushki Railway District, for the time being, to be Registrar of Births and Deaths for the Bolan Pass and Nushki Railway District;
- (4) the person holding the office of Political Agent, Kohlu, Nasirabad and Railway District, for the time being, to be Registrar of Births and Deaths for the Kohlu, Nasirabad and Railway District;
- (5) the person holding the office of Political Agent, Loralai District, for the time being, to be Registrar of Births and Deaths for the Loralai District; and

\* \* \* \* \*

II. For the purposes of section 24, sub-section (2) of the said Births, Deaths and Marriages Registration Act, 1886, the Governor General in Council is pleased to appoint the Registrar-General of Births, Deaths and Marriages in British Baluchistan to be Registrar-General of Births, Deaths and Marriages for the Districts above specified.

III. \* \* \*

[*Gazette of India*, 1903, Pt. I, p. 916.]

#### REFORMATORY SCHOOLS ACT, 1897.

*Youthful Offenders to be sent to the Reformatory School at Delhi.*

No. 324, dated the 8th July, 1922.—In exercise of the powers conferred by sub-section (1) of section 15 of the Reformatory Schools Act, 1897 (VIII of 1897), and in supersession of the notification of the Government of India in the Home Department, No. 130, dated the 9th March, 1906, the Governor General in Council is pleased to direct that the Reformatory School at Delhi shall be available for the reception of youthful offenders directed to be sent to it by any Court or Magistrate in British Baluchistan or in the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

[*Gazette of India*, 1922, Pt. I, p. 848.]

#### INDIAN UNIVERSITIES ACT, 1904.

*Inclusion of Baluchistan in the territorial limits of the Punjab University.*

No. 717, dated the 20th August, 1904.—Printed in Appendix IX.

<sup>1</sup> Cancelled by Notification No. 972-G., dated the 30th April, 1909. *Gazette of India*, 1909, Pt. I, p. 321.

BALUCHISTAN AGENCY TERRITORIES.—(II.—Orders under Acts of 13  
the Governor General in Council and of the Indian Legis-  
lature.)

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OFFICIAL TRUSTEES ACT, 1913.

*Inclusion of Baluchistan Agency Territories in the Presidency of Bom-  
bay for purposes of the Act.*

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix  
XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

*Inclusion of Baluchistan Agency Territories in the Presidency of Bom-  
bay for purposes of the Act.*

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix  
XIII.





### III.—Acts separately applied.

#### SPECIFIC RELIEF ACT, 1877.

*(To the Quetta Tahsil.)*

No. 728-E., dated the 16th April, 1896.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879),<sup>1</sup> and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions of the Specific Relief Act (I of 1877) to the tahsil of Quetta, so far as they may be suitable:

Provided that, for the purpose of facilitating the application of the provisions of the enactment hereby applied, any Court in the tahsil of Quetta may construe them with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court:

Provided also that references to the Local Government shall be read as referring to the Agent to the Governor General in Baluchistan, and references to British India as referring to the tahsil of Quetta.

[*Gazette of India*, 1896, Pt. I, p. 275.]

#### INDIAN ARMS ACT, 1878.

*(Certain portions applied to selected localities).*

No. 1538-F. B., dated the 18th April, 1904.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in this behalf, the Governor General in Council is pleased, in continuation of notification No. 1455-E., dated the 27th July, 1895, and in supersession of notification No. 116-E. A., dated the 14th January, 1902, to apply sections 13, 14, the last twenty-six words of section 15, section 16 (except the words and figures "or by the issue of a notification under section 15"), and section 19, clauses (e), (f) and (g) of the Indian Arms Act, 1878 (XI of 1878), to the following local areas in the territories administered by the Agent to the Governor General in Baluchistan as such Agent, namely:

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<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix 1.

*In the Quetta District.*

- (1) The municipality and the cantonment of Quetta.  
<sup>1</sup>[*In the Bolan, Nushki and Kachhi Railway District.*

- (2) The bazars at—

(a) Kolpur,	(h) Mushkaf,
(b) Hirok,	(i) Rindli,
(c) Mach,	(j) Mithri,
(d) New Mach,	(k) Lindsay,
(e) Abigum,	(l) Bellpat,
(f) Pishi,	(m) Nuttal, and
(g) Panir,	(n) Temple Dera.]

*In the Zhob District.*

- (3) The civil and military station and the native town at Fort Sandeman.  
 (4) The civil station and bazar at Hindubagh.  
 (5) The civil and military station at Killa Saifulla.

*In the Loralai District.*

- (6) The civil and military station at Loralai.  
 (7) The fort and bazar at Sinjawi.  
 (8) The bazar at Smallan.  
 (9) The civil station at Barkhan.  
 (10) The civil and military station and bazar at Musakhel.

<sup>1</sup>[*In the Kohlu and Nasirabad District.*

- (11) The bazars at—  
 (a) Jhatpat,  
 (b) Spintangi,  
 (c) Babar Kach, and  
 (d) Nari.  
 (12) The civil station at Kohlu.]

<sup>2</sup>[*In the Chagai District.*

- (13) The Civil and Military Station and Bazar at Nushki.  
 (14) The Civil and Military Station and Bazar at Dalbandin.]

<sup>1</sup> Substituted by Notification No. 92-I., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. I, p. 312.

<sup>2</sup> Inserted by Notification No. 348-F., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. I, p. 753.

*Generally.*

<sup>1</sup>[(15)] All railway lands.

[*Gazette of India*, 1904, Pt. I, p. 221.]

MUNICIPAL TAXATION ACT, 1881.

(*To the Quetta Cantonment.*)

No. 320-J., dated the 6th August, 1925.—In exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), as amended by Act 38 of 1920, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to apply the provisions of the Municipal Taxation Act (XI of 1881) to the Quetta Cantonment.

[*Gazette of India*, 1925, Pt. II-A., p. 257.].

PUNJAB LAND REVENUE ACT, 1887.

(*To the Quetta Tahsil.*)

No. 977-E., dated the 17th May, 1895.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879)<sup>2</sup> and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply to the tahsil of Quetta the provisions, so far as they may be suitable, of the Punjab Land Revenue Act (XVII of 1887) subject to the following modifications, that is to say:—

1. The expression "Local Government" in the said Act shall be construed to mean the Agent to the Governor General in Baluchistan.
2. The expression "Financial Commissioner" and "Commissioner" in the said Act shall in each case be construed to mean the Revenue Commissioner in Baluchistan.
3. The following provisions of the said Act shall not be deemed to be in force, namely:—

Sub-sections (2) and (3) of section 1;

Sub-sections (1) and (3) of section 2;

Clauses (b) and (c) of sub-section (9) of section 3;

Sub-section (5) of section 6;

Section 7;

Section 42;

Clause (b) of sub-section (2) of section 73;

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<sup>1</sup> Renumbered by Notification No. 348-F., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. I, p. 753.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

Proviso (a) in section 75;

Clause (c) of section 98;

Clause (e) of sub-section (2) of section 117.

Sub-section (1) of section 137.

4. In sub-section (2) of section 2, for the words " under any of the repealed enactments " the words " prior to the application of this Act " shall be read.
5. In sub-section (13) of section 3, for the words " Legal Practitioners Act, 1879, except a mukhtar " the words " section 12 of the Baluchistan Agency Civil Justice Law, 1890 " shall be read.
6. For section 5 the following words shall be read:—  

" The Agent to the Governor General in Baluchistan may, by order in writing and with the previous sanction of the Governor General in Council, vary the limits of the tahsil of Quetta ".
7. For sub-section (2) of section 6 the following words shall be read:—  

" The Political Agent for Quetta shall be the Collector of the tahsil of Quetta ".
8. In sub-section (3) of section 6, for the words " Assistant Commissioner " the words " Assistant Political Agent " shall be read.
9. From section 8 the words " Commissioners, Deputy Commissioners, Assistant Commissioners and " shall be omitted.
10. From clause (a) of sub-section (1) of section 27 the words " Financial Commissioner, Commissioner or " shall be omitted.
11. From sub-section (2) of section 27 the words " Financial Commissioner ", shall be omitted.
12. In sub-section (1) of section 43, for the words " either of the two last foregoing sections ", the words " section 41 " shall be read.
13. In clause (d) of sub-section (2) of section 117, for the words " Divisional Court or Chief Court " the words " Court of the Agent to the Governor General " shall be read.
14. In sub-section (1) of section 136 and in sub-section (2) of section 137, for the words and figures " Punjab Courts Act, 1884 " the words and figures " Baluchistan Agency Civil Justice Law, 1890, as amended from time to time by subsequent orders " shall be read.

[*Gazette of India*, 1895, Pt. I, p. 405.]

*(Certain sections only to the Nasirabad Tahsil.)*

No. 3677-F., dated the 29th November, 1906.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to apply sections 19, 20, 32, 36 and 37 (omitting the reference to section 35 in section 37) of the Punjab Land Revenue Act, 1887 (XVII of 1887), to the Nasirabad Tahsil of the Kohlu, Nasirabad and Railway district in the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent and to direct that the Settlement Officer, Nasirabad, shall be a Revenue Officer within the meaning of those sections.

[*Gazette of India*, 1906, Pt. I, p. 822.]

*Amendment Act (XVII of 1896) (to the Quetta Tahsil).*

No. 1565 (b)-E. A., dated the 11th October, 1899.—In continuation of the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 977-E., dated the 17th May, 1895, and in exercise of the powers cited therein, the Governor General in Council is pleased to apply to the tahsil of Quetta in the territories administered by the Agent to the Governor General in Baluchistan as such Agent the provisions, so far as they may be suitable, of Act XVII of 1896 (*an Act to amend the Punjab Land Revenue Act, 1887*):

Provided that references in the said Act as so applied to the Local Government and the Financial Commissioner shall be read as referring, respectively, to the Agent to the Governor General and the Revenue Commissioner in Baluchistan.

[*Gazette of India*, 1899, Pt. I, p. 909.]

ARMY ACT (44 and 45 Vict., c. 58.).

*Application of Section 156.*

No. 47-F., dated the 29th January, 1929.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor-General in Council is pleased to apply Section 156 of the Army Act (44 and 45 Vict., c. 58) to the Baluchistan Agency Territories.

[*Gazette of India*, 1929, Pt. I, p. 93.]



IV.—**Local Laws.***The Quetta Hackney Carriage Law, 1889.*

No. 984 (A)-E., dated the 18th May, 1889.—In exercise of the powers conferred by sections 4 and 5 of the 'Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following Law for the regulation and control of hackney carriages in the district, including the cantonment and town, of Quetta :—

1. *Short title, local extent, and commencement.*—(1) This Law may be called the Quetta Hackney Carriage Law, 1889.

(2) It extends to the district, including the cantonment and town, of Quetta; and

(3) It shall come into force at once.

2. *Definition of hackney carriage.*—In this Law "hackney carriage" means any wheeled vehicle drawn by animals and used for the conveyance of passengers, which is kept, or offered, or plies for hire.

3. *Power to Agent to the Governor General in Baluchistan to make rules.*—(1) The Agent to the Governor General in Baluchistan may, from time to time, make rules for the regulation and control of hackney carriages within the limits of the district, including the cantonment and town, of Quetta.

(2) Every rule made under this section shall, when published for such time and in such manner as the Agent to the Governor General may, from time to time prescribe, have the force of law :

Provided that the Governor General in Council may, at any time, rescind any such rule.

4. *What rules may provide for.*—The rules to be made under section 3 may, among other matters,—

- (a) direct that no hackney carriage, or no hackney carriage of a particular description, shall be let to hire, or taken to ply, or offered for hire, except under a license granted in that behalf;
- (b) direct that no person shall act as driver of a hackney carriage except under a license granted in that behalf;
- (c) provide for the issue of the licenses referred to in clauses (a) and (b), prescribe the conditions (if any) on which such licenses shall be granted, and fix the fees (if any) to be paid therefor;

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<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.



- (d) regulate the description of animals, harness and other things to be used with licensed carriages, and the condition in which such carriages, and the animals, harness and other things used therewith, shall be kept and the lights (if any) to be carried after sunset and before sunrise;
- (e) provide for the inspection of such carriages, animals and harness and also provide for the inspection of the premises on which any such carriages, animals, harness and other things are kept;
- (f) fix the time for which such licenses shall continue in force, and the events (if any) upon which within that time they shall be subject to revocation or suspension;
- (g) provide for the numbering of such carriages;
- (h) determine the time at which, and the circumstances in which, any person keeping a hackney carriage shall be bound to let or refuse to let the carriage to any person requiring the same;
- (i) appoint places as stands for hackney carriages, and prohibit such carriages, waiting for hire except at such places;
- (j) limit the rates or fares, as well for time as distance, which may be demanded for the hire of any hackney carriage, and prescribe the minimum speed at which such carriages when hired by time shall be driven;
- (k) limit the number of persons, and the weight of property, which may be conveyed by any such carriage;
- (l) require the owner or person in charge of any such carriage to keep a printed list of fares in English and such other language as may be prescribed, affixed inside such carriage in such place as may be determined by the rules, and prohibit the destruction or defacement of such list;
- (m) require drivers to wear a numbered badge or ticket (or a certain uniform) and to produce their licenses when required by a Magistrate or other person authorised by the rules in this behalf, and prohibit the transfer or lending of such licenses, badges, tickets or uniform; and
- (n) provide for the deposit of property found in such carriages, and the payment of a fee by the owner of such property on the delivery thereof to him.

5. *Penalty for breach of rules.*—Any person breaking any rule made under this Law will be punished with fine which may extend to fifty rupees.

6. *Disposal of fees.*—The amount of any fees received and the amount of any expenses incurred in giving effect to this Law shall be

credited and debited respectively in such proportions as the Agent to the Governor General may, from time to time, direct to the Quetta Town Fund and to the Quetta Cantonment Fund.

7. *Power of Magistrate to decide disputes regarding fares.*—(1) If any dispute arises between the hirer of any hackney carriage and the owner or driver of such carriage as to the amount of the fare payable by such hirer under any rule made under this Law, such dispute shall, upon application made in that behalf by either of the disputing parties, be heard and determined by any Magistrate within the local limits of whose jurisdiction such dispute has arisen; and such Magistrate may, besides determining the amount so in dispute, direct that either party shall pay to the other such sum as compensation for loss of time as such Magistrate thinks fit.

(2) Any sum determined to be due or directed to be paid under this section shall be recoverable under the provisions of the Code of Criminal Procedure, 1882,<sup>1</sup> as if it were a fine.

(3) The decision of any Magistrate in any case under this section shall be final.

8. *In case of dispute, hirer may require driver to take him to Court.*—(1) If at the time of any dispute mentioned in section 7 any Magistrate having jurisdiction in respect of such dispute is sitting, the hirer of the carriage may require the driver thereof to take him in the same to the Court of such Magistrate for the purpose of making an application under that section.

(2) Any driver neglecting or refusing to comply with such requisition shall be punished with imprisonment for a term which may extend to one month, or with fine not exceeding fifty rupees or with both.

[*Gazette of India*, 1889, Pt. I, p. 297.]

### *The Quetta Municipal Law, 1896.*

No. 1536-F. A., dated the 4th September, 1896.—In exercise of the powers conferred by sections 4 and 5 of the <sup>2</sup>Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council has been pleased to make the following Law for the administration of the Quetta Municipality:—

## CHAPTER I.

### PRELIMINARY.

1. *Title and commencement.*—(1) This Law may be called the Quetta Municipal Law, 1896; and

<sup>1</sup> Now the Code of Criminal Procedure, 1898, which is locally in force.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

(2) It shall come into force on such day<sup>1</sup> as the Agent to the Governor General in Baluchistan may by notification in the *Gazette of India* appoint in that behalf.

2. *Definitions.*—In this Law, unless there is anything repugnant in the subject or context,—

- (i) “Municipality” means the Municipality of Quetta within such limits as may be defined from time to time by order of the Agent to the Governor General:
- (ii) “Committee” means the Committee constituted under this Law:
- (iii) “Agent to the Governor General” means the Agent to the Governor General in Baluchistan; “Commissioner” means the Revenue Commissioner in Baluchistan; <sup>2</sup>[“Assistant Political Agent” means “Assistant Political Agent, Quetta”]; and “Extra Assistant Commissioner” means the Extra Assistant Commissioner in Quetta:
- (iv) “inhabitant” includes any person ordinarily residing or carrying on business or owning or occupying immoveable property in the Municipality:
- (v) “street” includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the road-way and footway over any public bridge or causeway:
- (vi) “owner” includes the person for the time being receiving the rent of any land or building, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose, or who would so receive the same if the land or building were let to a tenant:
- (vii) “notification” means a notification published by authority of the Agent to the Governor General in the *Gazette of India*:
- (viii) “notified” means published as aforesaid:
- (ix) “prescribed” means prescribed by rules made by the Agent to the Governor General under this Law: and
- (x) “Political Agent” means the Political Agent for Quetta and Pishin, and, in the absence of the Political Agent, such officer as may be appointed, by name or by virtue of his office, by the Agent to the Governor General to discharge the duties of the Political Agent under this Law.

<sup>1</sup> The 15th October, 1896, was so appointed by Notification No. 6992, dated the 5th *idem.* *Gazette of India*, 1896, Pt. II, p. 105.

<sup>2</sup> Inserted by Notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911. Pt. I. p. 1014.

## CHAPTER II.

## ORGANIZATION AND CONSTITUTION OF THE COMMITTEE.

3. There shall be established for the Municipality a Committee consisting of—

*Constitution of Committee.*—(a) the Political Agent, and

(b) such persons, not fewer than six, as the Agent to the Governor General may appoint in that behalf.

4. *Term of office of an appointed member.*—(i) The term of office of a member of the Committee shall be fixed by the Agent to the Governor General by rule, made under this Law and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(ii) An outgoing member shall, if otherwise qualified, be again eligible, for appointment.

5. *Resignation of an appointed member.*—Any member may resign by notifying in writing his desire to do so to the Political Agent, and, on his resignation being accepted by the Agent to the Governor General, he shall be deemed to have vacated his office.

6. *Powers of Agent to the Governor General to remove appointed members.*—The Agent to the Governor General may remove any appointed member of the Committee—

(a) if he refuses to act, or becomes, in the opinion of the Agent to the Governor General, incapable of acting, or is declared insolvent or is convicted of any such offence, or subjected by a Criminal Court to any such order as implies, in the opinion of the Agent to the Governor General, a defect of character which unfits him to be a member;

(b) if he has been declared by notification to be disqualified for employment in the public service;

(c) if he, without an excuse sufficient in the opinion of the Agent to the Governor General, neglects for more than three consecutive months to be present at the meetings of the Committee;

(d) if his continuance in office is, in the opinion of the Agent to the Governor General, dangerous to the public peace or order: or

(e) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Agent to the Governor General, unnecessary or undesirable.

7. *Time of Committee coming into existence.*—The Committee shall come into existence at such time as the Agent to the Governor General may, by notification, appoint in that behalf.

*Chairman and Vice-Chairman.*

8. *The duties of the Political Agent.*—(i) The Political Agent shall be *ex-officio* Chairman of the Committee.

(ii) The Political Agent shall be responsible for the proper maintenance of the accounts: he shall prepare the annual budget and such supplementary budgets as may from time to time be necessary, and the annual administration report, and lay the same before the Committee.

Provided that the Political Agent shall not incur any expenditure not provided for in the budget without the sanction of the Commissioner.

9. *Appointment of Vice-Chairman.*—(i) The Agent to the Governor General shall appoint a member of the Committee to be its Vice-Chairman.

(ii) The term of office of a Vice-Chairman shall be one year:

Provided that, if at the time of his appointment as Vice-Chairman the residue of his term of office as member of the Committee is less than one year, his term of office as Vice-Chairman shall be the residue of his term as member.

(iii) An outgoing Vice-Chairman shall, if otherwise qualified, be again eligible for appointment as Vice-Chairman.

(iv) The Vice-Chairman may resign by notifying in writing his intention to do so to the Political Agent, and, on his resignation being accepted by the Agent to the Governor General, he shall be deemed to have vacated his office.

*Conduct of Business*

10. *Times for holding meetings.*—(i) The Committee shall meet for the transaction of business at least once in every month on such day as may, from time to time, be fixed by the rules made under section 102.

(ii) The Chairman may, whenever he thinks fit, convene a meeting at any other time.

11. *Quorum.*—The quorum necessary for the transaction of business at a meeting of the Committee shall be one-third of the whole Committee.

12. *Chairman of meeting.*—(i) At every meeting of the Committee the Chairman, if present, shall preside.

(ii) In the absence of the Chairman, the Vice-Chairman shall preside.

(iii) If both Chairman and Vice-Chairman are absent, the members present shall elect one of their number to be Chairman of the meeting.

13. *Vote of majority decisive.*—(i) Except as otherwise provided by this Law, or by any rule made by the Agent to the Governor General under this Law, all questions which may come before any meeting of the Committee shall be decided by the majority of the votes of the members present.

(ii) In the case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

14. The following are the powers and duties of the Committee :

- (a) to submit through the Political Agent for the Commissioner's approval or orders and for the sanction of the Agent to the Governor General the budget and supplementary budgets prepared by the Political Agent with such remarks as may appear to it advisable;
- (b) to consider the annual administration report prepared by the Political Agent, and to submit it through that officer to the Commissioner with such remarks as may appear to it advisable;
- (c) to express an opinion on all matters laid before it by the Political Agent;
- (d) to assist the Political Agent in carrying out the provisions of this Law; to call his attention to neglect of its provisions, to any waste of property under the management of the Committee, and to the wants of any locality, and to suggest any improvement that may seem desirable.

15. *Certain officers entitled to attend and speak.*—The Residency Surgeon and the Secretary to the Agent to the Governor General in the Public Works Department, when not members, shall be entitled to attend any meeting of the Committee, and to address the Committee on any matter affecting respectively sanitation and public works.

16. *Resolutions to be recorded.*—(i) Every resolution passed by the Committee at a meeting shall be recorded in a book kept for the purpose and shall be signed by the Chairman.

(ii) A copy of every resolution passed by the Committee at a meeting shall, within ten days from the date of the meeting, be forwarded to the Commissioner.

#### *Officers and Servants.*

17. *Employment of officers and servants.*—Subject to the other provisions of this Law and to the general control of the Commissioner and of the Agent to the Governor General, the appointment of such officers and servants as may be necessary or proper for the efficient execution of the provisions of this Law shall rest with the Political Agent.

18. *Pensions and other allowances of officials not being Government servants.*—(I) In the case of an officer or servant appointed under the preceding section or employed before the commencement of this Law who is not a Government official, the Political Agent may—

- (a) grant him leave allowances;
- (b) if his monthly pay does not exceed ten rupees, grant him a gratuity on resignation or retirement;

- (c) with the sanction of the <sup>1</sup>[Commissioner] grant him a gratuity or subscribe on his behalf for pension or gratuity under the rules contained in any general or special orders of the Governor General in Council for the time being in force, or purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave allowance or annuity shall exceed the sum to which, under any general or special orders of the Governor General in Council for the time being in force, the officer or servant would be entitled if the service had been service under the Government.

(2) *Pension and other allowances of Government servants.*—In the case of an officer or servants, being a Government official, the Political Agent may,—

- (a) if his services are wholly lent to the Committee, meet any charges prescribed or authorised by any general or special orders of the Governor General in Council for the time being in force, regarding contributions towards pension or gratuity and leave allowances; and,
- (b) if he devotes only a part of his time to the performance of duties in behalf of the Committee, meet any such charges as aforesaid in such proportion as may be determined by the <sup>1</sup>[Commissioner].

<sup>2</sup>(3) Nothing in this or in any other section of this Law contained shall be deemed to prohibit the establishment of a Provident Fund by the officers or servants of the Committee, not being Government officers, or to debar the Political Agent, if otherwise expressly authorized by the Agent to the Governor General in this behalf, from contributing from the Municipal Fund towards such Provident Fund at such rules and under such conditions as the Political Agent may, by rules to be confirmed by the Agent to the Governor General, fix and apportion for such purpose.

#### *Contracts.*

19. *Authority to contract and mode of executing contracts.*—(1) The Political Agent may on behalf of the Committee enter into any contract whereof the value or amount does not exceed two hundred rupees.

(2) A contract whereof the value or amount exceeds two hundred rupees shall not be executed until it has been sanctioned by the Committee at a meeting.

<sup>1</sup> Substituted by Notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

<sup>2</sup> Added by Notification No. 3947-Est. B., dated the 26th November, 1909. *Gazette of India*, 1909, Pt. I, p. 1636.

(3) Every contract made by or on behalf of the Committee, whereof the value or amount exceeds fifty rupees, shall be in writing.

(4) Every such contract shall be signed by the Political Agent.

(5) If a contract to which this section applies is executed otherwise than in conformity therewith, it shall not be binding on the Committee.

#### *Delegation of authority.*

20. *Delegation of authority.*—The Political Agent may, by general or special order, delegate to the <sup>1</sup>[Assistant Political Agent or to the] Extra Assistant Commissioner all or any of his powers under Chapters VI and VII of this Law: Provided that from any order passed by the <sup>1</sup>[Assistant Political Agent or the] Extra Assistant Commissioner under these Chapters, an appeal shall lie to the Political Agent.

### CHAPTER III.

#### TAXATION.

21. *Taxes which may be imposed.*—(1) Subject to any general rules or special orders which the Governor General in Council may make in this behalf, the Agent to the Governor General may, from time to time, for the purposes of this Law and in the manner by this Law directed, impose in the area to which this Law extends any of the following taxes:—

- (a) a tax on buildings and lands not exceeding seven-and-a-half per centum on the annual value;
- (b) a tax on persons practising any profession or art or carrying on any trade or calling in the Municipality, not exceeding two-and-a-half per centum on the annual income derived from such practice, trade or calling;
- (c) a tax not exceeding Rs. 4 a quarter on every vehicle, animal used for riding, driving, draught or burden, or dog kept within the Municipality;
- (d) a toll not exceeding one anna on every vehicle and every animal used as aforesaid entering the Municipality;
- (e) an octroi on animals for slaughter, or goods, or both, brought within the <sup>2</sup>[octroi limits] for consumption or use therein, such octroi not exceeding one anna on each animal <sup>3</sup>[in the case of sheep or goats, and four annas on each animal in the case of other animals,] and not exceeding Rs. 4 a

<sup>1</sup> Inserted by Notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

<sup>2</sup> Substituted by Notification No. 148-F., dated the 25th March, 1920. *Gazette of India*, 1920, Pt. I, p. 576.

<sup>3</sup> Inserted by Notification No. 553-I., dated the 24th November, 1926. *Gazette of India*, 1926, Pt. I, p. 1271.



maund or 4 per centum *ad valorem* on any such goods as aforesaid;

and, with the previous sanction of the Governor General in Council, any other tax:

Provided that any person may compound for exemption from all tolls leviable in respect of any animal or vehicle under clause (d) of this sub-section by paying the tax which would have been leviable in respect thereof under clause (c) if the same had been kept within the area to which this Law extends:

Provided also that goods, which are the property of Government at the time of import, shall pass free of any octroi imposed under clause (e) if accompanied by an invoice, with an endorsement signed by the proper Government officer certifying that they are the property of the Government.

(2) In this section "annual value" means the gross annual rent for which buildings or lands liable to taxation may reasonably be expected to let.

22. *Scavenging tax*.—When the Committee has, with regard to any buildings or lands, in exercise of the powers conferred by this Law, provided for the performance by its agents of the duties usually performed by sweepers, it may, with the previous sanction of the Agent to the Governor General and in the manner by this Law directed, impose upon those buildings and lands, in addition to any other tax imposed upon them under this Law, a tax, to be called the scavenging tax, at such rate or of such amount as it thinks fit:

Provided that in fixing the rate or amount of such tax regard shall be had to the principle that the total net proceeds of the tax should not exceed the cost of the performance of the said duties.

<sup>1</sup>[22A. When the cantonment authority of the Quetta cantonment with the sanction of the Governor General in Council, has agreed with the Committee that the same octroi limits shall be established for the cantonment and the Municipality, and that octroi collections and charges shall be divided between the cantonment fund and the Municipal Fund, the Committee may fix limits under clause (cc) of sub-section (7) of section 102, so as to include so much both of the cantonment and of the municipal area as it may deem necessary, and shall have the same powers of collecting octroi on animals or goods brought within such limits; and the provisions of this Law relating to octroi shall apply in the same way, as if the said limits were wholly comprised in the area of the Municipality.]

23. *Water-tax*.—Besides the taxes mentioned in the foregoing sections, the Committee with the previous sanction of the Agent to the Governor General, may, for the purpose of constructing or maintain-

<sup>1</sup> Inserted by Notification No. 148-F., dated the 25th March, 1920. *Gazette of India*, 1920, Pt. I, p. 576.

ing works for the supply of water or paying the principal or interest of any loan raised for the construction of such works impose, in the manner by this Law directed, a tax, to be called the water-tax, upon buildings or lands which are so situated that their occupiers can benefit by the works:

Provided that, in fixing the rate of such tax, regard shall be had to the principle that the total net proceeds of the tax, with the estimated income from payments for water supplied from the works under special contracts, should not exceed the amount required for the said purposes.

24. (1) No tax shall come into force until one month after it has been notified.

(2) *Notification of and power to abolish and reduce taxes.*—The Agent to the Governor General may, by notification, abolish or reduce in amount any tax imposed under the foregoing sections.

25. *Power to exempt from taxation.*—(1) The Committee may by resolution exempt in whole or in part from the payment of any such tax any person who by reason of poverty may in its opinion be unable to pay the same.

(2) The Governor General in Council may, by order, exempt in whole or in part from the payment of any such tax any person or class of persons or any property or description of property.

26. *Taxes not invalid for defect of form.*—No tax imposed under this Law shall be invalid merely for defect of form; and it shall be enough in the case of any such tax on property or any assessment of value for the purpose of any such tax, if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

27. *Taxes when paid.*—Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the <sup>1</sup>[Political Agent] may, from time to time, prescribe.

28. *Receipts to be given.*—For all sums paid on account of any tax under this Law a receipt stating the amount and the tax on account of which it is paid, shall be given, on his application, to the person making the payment.

29. *Appeals against taxation.*—(1) An appeal against the assessment or levy of any tax under this Law shall lie to the Commissioner.

(2) Subject to revision by the Agent to the Governor General, the order of the appellate authority shall be final.

30. *Limitation for appeals.*—(1) No appeal shall lie in respect of a tax on any building or land unless it is preferred within one month

<sup>1</sup> Substituted by notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

after the publication of the notice of assessment to be prescribed under section 102, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the appellate authority that he had sufficient cause for not presenting it sooner.

(2) No appeal shall be entertained unless the amount of the tax to which it relates is deposited with the Committee before the appeal is preferred.

31. *Taxation not to be questioned except under the Law.*—No objection shall be taken to any valuation or assessment, nor shall the liability of any person to be assessed or taxed be questioned, in any other manner or by any other authority than in this Law provided.

32. *Power to examine article liable to octroi.*—Every person bringing or receiving within the <sup>1</sup>[octroi limits] any article on which octroi is payable, shall, when required by an officer authorised by the Political Agent in that behalf and so far as may be necessary for ascertaining the amount of tax chargeable—

(a) permit that officer to inspect, examine, weigh or otherwise deal with the article, and

(b) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature that he may possess relating to the article.

33. *Power to search where octroi is leviable.*—If after the imposition of an octroi tax any person bringing or receiving a conveyance or package within the <sup>1</sup>[octroi limits] refuses on the demand of an officer authorised by the Political Agent on this behalf, to permit such officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, such officer may cause the conveyance or package to be taken without unnecessary delay before a Magistrate, who shall cause the inspection to be made in his presence.

34. *Presentation of bill for octroi.*—Every officer demanding octroi by authority of the Political Agent shall tender to every person introducing or receiving any article on which the tax is claimed, a bill specifying the article taxable, the amount claimed, and the rate at which the tax is calculated.

35. *Recovery of octroi.*—(i) In case of non-payment of octroi on demand, the officer empowered to collect the same may seize any article

<sup>1</sup> Substituted by notification No. 148-F., dated the 25th March, 1920. *Gazette of India*, 1920, Pt. I, p. 576.

on which it is chargeable, or any part thereof of sufficient value to satisfy the demand.

(ii) The Political Agent may, after the lapse of five days from the seizure and the issue of a proclamation fixing the time and date of sale, cause property so seized or so much thereof as is necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are in the meantime paid:

Provided that articles of a perishable nature may be sold after the lapse of such shorter time as the Political Agent, having regard to the nature of the articles, may think necessary in order to avoid serious risk or damage.

36. *Taxes leviable under the orders of the Agent to the Governor General or the Governor General in Council, to be deemed to be taxes under this Law.*—All taxes leviable in the Municipality under the orders of the Agent to the Governor General or of the Governor General in Council at the time when the Committee comes into existence under this Law, shall, so far as their imposition and assessment are consistent with this Law and within the powers conferred thereby, be deemed to have been imposed and assessed under this Law.

## CHAPTER IV.

### MUNICIPAL FUND AND PROPERTY.

37. *Constitution of Municipal Fund.*—(1) There shall be formed a Municipal Fund, and there shall be placed to the credit thereof—

- (a) all sums received by or on behalf of the Committee under this Law or otherwise;
- (b) all fines realised in cases in which prosecutions are instituted under this Law or the rules made thereunder, or under section 34 of Act V of 1861, or under the Prevention of Cruelty to Animals Act (XI of 1890) for offences committed within the Municipality;
- (c) the balance (if any) standing at the credit of the excluded local fund, hitherto known and administered as the Quetta Municipal Fund, at the time when the Committee comes into existence; and
- (d) the proceeds of such property, moveable and immoveable, as may for the time being be administered by or on behalf of the Committee for the benefit of the Municipal Fund;

And this fund, together with all property purchased at its expense, shall be vested in the Agent to the Governor-General for the time being;

and, subject to the provisions of this Law and of the rules made thereunder, and to the control of the Agent to the Governor General, the management thereof shall be entrusted to the Committee.

(2) The property referred to in clause (d) of sub-section (1) includes—

- (a) land or other property acquired by the Committee for local public purposes or under competent authority constituted the property of the Municipality,
- (b) dust, dirt, sewage, refuse, filth and rubbish of any kind, collected by the Committee from the streets, houses, privies, sewers, cesspools or elsewhere, or deposited in any place set apart by them for that purpose.

38. *Application of funds.*—(1) The Political Agent shall subject to the provisions of this Law set apart and apply annually out of the Municipal Fund—

- (a) *first*, such sum out of the net proceeds of the octroi receipts as the Governor General in Council may from time to time direct to be paid as a contribution to the Quetta Cantonment Fund;
- (b) *secondly*, such sum as may be required for the payment of any amounts falling due on any loan legally contracted for, or on behalf of, the Committee;
- (c) *thirdly*, such sum as may be required to meet the charges of the Committee's establishment, including such subscriptions, contributions and payments as are referred to in section 18, and such sum as may be required for the maintenance of a police establishment under Chapter V of this Law.

(2) Subject to the charges specified in sub-section (1) and to such rules as the Agent to the Governor General may make with respect to the priority to be given to the several duties of the Committee, the Municipal Fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the Municipality, namely:—

- (a) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, drains, latrines and water-courses;
- (b) the watering and lighting of such streets or any of them;
- (c) the construction, establishment and maintenance of rest-houses, markets, pounds and other works of public utility;
- (d) grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper-asylums and other educational or charitable institutions;

- (e) the supply, storage and preservation from pollution of water for the use of men or animals;
- (f) the planting and preservation of trees;
- (g) the taking of a census, the registration of births, marriages and deaths, public vaccination and any other sanitary measure;
- (h) the destruction of stray and ownerless dogs;
- (i) all acts and things which are likely to promote the safety, health, welfare or convenience of the inhabitants, or expenditure which may be declared by the Committee, with the sanction of the Agent to the Governor General, to be an appropriate charge on the Municipal Fund.

39. *Custody of Municipal Fund*.—The Municipal Fund shall be kept in the Government treasury at Quetta.

40. *Investment of same*.—(1) The Committee may, from time to time, with the previous sanction of the Agent to the Governor General, invest any portion of the Municipal Fund in securities of the Government of India or such other securities as the Governor General in Council may, from time to time, approve in this behalf, and may vary such investments for others of a like nature, and may with like sanction realise any investments made under this sub-section.

(2) The income resulting from the securities and the proceeds of the sale of the same shall be credited to the Municipal fund.

## CHAPTER V.

### MUNICIPAL POLICE.

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42.	*	*	*	*	*	*1

## CHAPTER VI.

### POWERS FOR SANITARY AND OTHER PURPOSES.

#### *Streets and Buildings.*

43. *Power to acquire land for building sites adjoining new streets*.—When any land is required for a new street or for the improvement of an existing street, the Committee may cause to be acquired, in addition to the land to be occupied by the street, the land necessary for the sites of the buildings to be erected on the sides of the street.

<sup>1</sup> Deleted by notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

44. *Power to close streets.*—The Political Agent, with the concurrence of the Committee, may close temporarily any streets or parts thereof for any public purpose, and with the Agent to the Governor General's permission may divert, discontinue or permanently close any street.

45. *Power to permit temporary occupation of streets, etc.*—The Political Agent may grant permission in writing for the temporary occupation of any street for the purpose of depositing any building materials or making any temporary excavation therein or erection thereon, subject to such conditions and the payment of such fees as <sup>1</sup>[he] may prescribe, and may at his discretion withdraw such permission.

46. *Power to attach brackets for lamps.*—The Political Agent may attach to the outside of any building brackets for lamps in such manner as not to cause injury thereto or inconvenience.

47. *Names of streets and numbers of buildings.*—The Committee at a meeting may name any street, and the Political Agent may cause that name and likewise any number to be affixed on any building, and may from time to time cause the same to be altered.

Whoever destroys, pulls down, alters or defaces any such name or number shall, on conviction by a Magistrate, be punished with a fine that may extend to twenty rupees.

<sup>2</sup>[47-A. *Bills-sticking without permission.*—Whoever, without the consent of the owner or occupier or other person for the time being in charge, affixes any poster, bill, notice, placard or other paper or means of advertisement against or upon any building, wall, tree, board, fence or pale, or writes upon soils, defaces, or marks any such building, wall, tree, board, fence or pale with chalk or paint or in any other way whatsoever, shall be punishable with fine which may extend to twenty rupees.]

48. *Notice of new buildings.*—Every person intending to erect, re-erect, alter or repair any upper storey or other building shall give notice in writing of his intention to the Political Agent and shall, if required to do so, submit a plan showing the levels at which the foundations and lowest floor are proposed to be laid and specifications of the works intended to be constructed and the materials to be used, and shall obey any written directions consistent with this Law given by the Political Agent thereupon; and the Political Agent, with the concurrence of the Committee, may prohibit such erection, re-erection, alteration or repair, if in his opinion it is likely to be injurious to the neighbourhood or in respect of free passage or roadway, free circulation of

<sup>1</sup> Substituted by notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

<sup>2</sup> Inserted by notification No. 243-F., dated the 31st May, 1926. *Gazette of India*, 1926, Pt. I, p. 665.

air, facilities of scavenging, ventilation, drainage level, stability, line of frontage or any other matter which the Agent to the Governor General may from time to time prescribe:

Provided that no compensation shall be claimable on account of any direction or prohibition under this section.

If the erection, re-erection, alteration or repair of any building is begun without the permission of the Political Agent, or in disobedience to any direction issued by the Political Agent, under this section, or continued contrary to those directions, the Political Agent may, by notice in writing, require such building to be altered or demolished, and the person so erecting, re-erecting, altering or repairing shall, on conviction by a Magistrate, be liable to a fine not exceeding five hundred rupees.

49. *Removal of obstructing projection and encroachments.*—The Political Agent, with the concurrence of the Committee, may, by notice in writing, require the owner or occupier of any building to remove or alter any projection, encroachment or obstruction built or placed against or in front thereof, if the same overhangs or projects into or encroaches on any street, public drain, aqueduct or sewer.

50. *Bathing and washing places.*—The Committee may set apart suitable places for the purpose of bathing, and may specify the times at which, and the sex of the persons by whom, such places may be used, and may also set apart suitable places for washing animals or clothes, or for any purpose connected with the health, cleanliness and comfort of the inhabitants; and may, by public notice, prohibit bathing or the washing of animals or clothes, in any public place not so set apart or at times, or by persons other than those specified, and all other acts by which water in public places may be rendered foul or unfit for use.

*Deposit of Offensive Matter and Slaughter-places.*

51. *Removal and deposit of offensive matter.*—The Committee may fix places within, or, with the approval of the <sup>1</sup>[Political Agent], beyond the limits of the Municipality for the deposit of refuse, rubbish or offensive matter of any kind or for the disposal of the dead bodies of animals, and may by public notice give directions as to the time, manner and conditions at, in and under which such refuse, rubbish or offensive matter or the dead bodies of animals may be removed along any street and deposited at such places.

52. *Places for slaughter of animals.*—(1) The Committee may fix and abolish places either within, or, with the approval of the <sup>1</sup>[Political Agent], beyond the limits of the Municipality for the slaughter of

<sup>1</sup> Substituted by notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.



animals or any specified description of animals for sale, and may with the like approval grant and withdraw licenses for the use of such places, or, if they belong to the Committee, charge rent or fees for the use of the same.

(2) When any such place has been fixed, no person shall slaughter any such animal for sale within the Municipality at any other place.

(3) Whoever slaughters any such animal at any other place for sale within the Municipality shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

#### *Burial and Burning places.*

53. *Powers in respect of burial and burning places.*—(1) The Committee may by public notice order any burial or burning ground which is, in its opinion, dangerous to the health of persons living in the neighbourhood, to be closed from a date to be specified in the notice.

(2) Private burial-places in such burial-grounds may be excepted from the notice, subject to such conditions as the Committee may impose in this behalf.

(3) No burial or burning ground, whether public or private, shall be made or formed after the passing of this Law without the permission in writing of the Committee.

(4) If any person buries or burns, or causes or permits to be buried or burnt, any corpse in any burial or burning ground made or formed contrary to the provisions of this section, or after the date fixed thereunder for closing the same, he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

(5) The Committee may by public notice prescribe routes for the removal of corpses to burial or burning places.

#### *Inflammable Materials.*

54. *Inflammable Materials.*—The Political Agent may, where it appears to him to be necessary for the prevention of danger to life or property, by public notice, prohibit all persons from stacking or collecting wood, straw or other inflammable materials, or placing mats, erecting booths or thatched huts, or lighting fires in any place or within any limits specified in the notice.

#### *Powers of Entry and Inspection.*

55. *Inspection of drains, privies and cesspools.*—(1) The Political Agent, or any person authorised by him in this behalf, may, after giving six hours' notice in writing to the occupier of any land or building in which any drain, privy or cesspool is situated, inspect any such

drain, privy or cesspool at any time between sunrise and sunset and may, if necessary, cause the ground to be opened wherever he may think fit for the purpose of preventing or removing any nuisance arising therefrom.

(2) If on such inspection it appears that the opening of the ground was necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner of the land or building or by the occupier, as the Political Agent may direct; but if it is found that no nuisance exists, or but for such opening would have existed, the ground shall be closed and made good as soon as may be, and the expense of opening, closing and making it good shall be paid from the Municipal Fund.

56. *Power to enter and inspect the buildings, etc.*—The Political Agent, or any person authorised by him in this behalf, may, after giving twenty-four hours' notice in writing to the occupier, or, if there is no occupier, to the owner, of any building at any time between sunrise and sunset, enter and inspect the building, and may by notice direct all or any part thereof to be forthwith internally or externally lime-washed, disinfected or otherwise cleansed for sanitary reasons.

57. *Other powers of entry on building or land.*—The Political Agent, or any person authorised by him in this behalf, may, after giving twenty-four hours' notice in writing to the occupier, or if there is no occupier, to the owner, of any building or land at any time between sunrise and sunset,—

- (a) enter on and survey and take levels of any land;
- (b) enter, inspect and measure any building for the purpose of valuation; or
- (c) enter into any building or any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains, or of executing or repairing any works authorised by this Law.

58. *Power to enter for discovery of vehicles or animals liable to taxation.*—The Political Agent, or any person authorised by him in this behalf, may, at any time between sunrise and sunset, enter and inspect any stable, coach-house or other place wherein there is reason to believe that there is any vehicle or animal liable to taxation under this Law, for which a license has not been duly taken out.

59. *Power to inspect places for sale of food or drink, etc., and to seize unwholesome articles exposed for sale.*—The Political Agent, or any person authorised by him in writing in this behalf, may, at all reasonable times, enter into and inspect any market, building, shop, stall or place used for the sale of food or drink for human consumption, or as a slaughter-house, or for the sale of drugs, and inspect and examine

any food or drink, animal or drug which may be therein, and if any article of food or drink or any animal therein appears to be intended for human consumption and to be unfit therefor, may seize and remove the same or may cause it to be destroyed, or to be so disposed of as to prevent its being exposed for sale or used for such consumption;

and, in case any drug is reasonably suspected to be adulterated in such manner as to lessen its efficacy or to change its operation or to render it noxious, may remove the same, giving a receipt therefor, and may cause it to be brought before a Magistrate for enquiry whether any offence has been committed in respect thereof and for his orders as to its disposal.

60. *Power of entry for purposes of scavenging.*—(1) The Committee may provide for the performance by its Agents of the duties usually performed by sweepers in respect of any buildings or lands or of any drains, privies, cesspools or other receptacles for offensive matter pertaining to buildings or land.

(2) Such provision may be made in respect of individual buildings or lands or of buildings or lands generally.

(3) Nothing in this section or section 22 shall be deemed to preclude the Committee from making provision of a different nature for different buildings or lands, and charging scavenging-tax at different rates therefor, or from exempting wholly or in part from such tax at its discretion any individual who has made arrangements to its satisfaction for the performance of the duties aforesaid.

(4) When the Committee has undertaken to provide for the performance by its Agents of such duties as aforesaid, the persons employed by it to perform the same may enter on the property at all reasonable times so far as may be necessary for the proper discharge of those duties; and the Political Agent, or any person authorised by him in this behalf, may enter on the property at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

61. *Precautions to be observed in entering dwelling.*—When any building used as a human dwelling is entered under this Law, due regard shall be paid to the social and religious sentiments of the occupiers, and before any apartment in the actual occupation of any woman who, according to custom, does not appear in public, is entered under this Law, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

#### *Water-pipes, Privies and Drains.*

62. *Troughs and pipes for rain-water.*—The Political Agent may, by notice in writing, require the owner of any building in any street to put up and keep in good condition proper troughs and pipes for

receiving and carrying the water from the roof and other parts thereof and for discharging the same, so as not to inconvenience persons passing along the street.

63. *Provision of privies, etc.*—(1) The Political Agent may, by notice in writing, require the owner of any building to provide any privy or cesspool or additional privies or cesspools which should, in his opinion, be provided for the building, in such manner as to satisfy the general requirements of the Committee.

(2) The Political Agent may, by notice in writing, require the owner or occupier of any building or land to have any privy provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood, or to remove or alter, as the Committee directs, any door or trap-door of a privy opening on to any street or drain.

(3) The Political Agent may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as the Political Agent may think fit and to cause the same to be kept in proper order and to be daily cleansed.

64. *Construction, repairing and closing of drains, privies and cesspools.*—(1) The Political Agent may, by notice in writing, require the owner or occupier of any building or land to repair or alter and put in good order any drain, privy or cesspool or to close any cesspool belonging thereto.

(2) The Political Agent may, by notice in writing, require any person who constructs any new drain, privy or cesspool without his permission in writing or contrary to his directions or rules or to the provisions of this Law, or who constructs, rebuilds or opens any drain, privy or cesspool which has been ordered to be demolished or closed or not to be made, to demolish such drain, privy or cesspool, or to make such alterations therein as he thinks fit.

65. *Unauthorised buildings over drains, etc.*—The Political Agent may, by notice in writing, require any person who without his permission in writing newly erects or rebuilds any building over any public sewer, drain, culvert, water-course or water-pipe, to pull down or otherwise deal with the same as he thinks fit.

66. *Removal of latrines, etc., near any source of water-supply.*—The Political Agent may, by notice in writing, require any owner or occupier on whose land any drain, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, reservoir or other water source, to remove or close the same within one week.

67. *Power to require drainage, etc., of unwholesome land, etc.*—The Political Agent may, by notice in writing, require any owner or occupier

of any land or building to cleanse, repair, cover, fill up or drain off any private land, well, reservoir, pool or excavation therein which appears to him to be injurious to health or offensive to the neighbourhood.

*Dangerous buildings and places.*

68. *Power to require buildings, wells, tanks, etc., to be secured.*—If any building or any well, tank or other excavation is for want of sufficient repair, protection or enclosure, dangerous to persons passing by, or dwelling or working in the neighbourhood, the Political Agent may, by notice in writing, require the owner or occupier thereof to repair, protect or enclose the same; and if it appears to him to be necessary in order to prevent imminent danger, he shall forthwith take such steps as are necessary to avert the danger.

69. *Buildings, etc., in ruinous or dangerous state.*—If any building, wall or structure, or anything affixed thereto, is deemed by the Political Agent to be in a ruinous state or in any way dangerous, he may, with the concurrence of the Committee, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to it as the Committee considers necessary for the public safety; and, if it appears to him to be necessary in order to prevent imminent danger, the Political Agent may forthwith take such steps as are necessary to avert the danger.

*Buildings and grounds in unsanitary condition.*

70. *Power to require owner to clear away noxious vegetation.*—The Political Agent may, by notice in writing, require the owner or occupier of any land to clear away and remove any thick or noxious vegetation, jungle or under-growth which may appear to be injurious to health or offensive to the neighbourhood.

71. *Power to trim hedges and trees bordering on streets.*—The Political Agent may, by notice in writing, require the owner or occupier of any land within three days to cut or trim the hedges thereof bordering on any street, or branches of trees growing thereon which overhang any street and obstruct the same or cause danger therein, or which so overhang any well, tank or other water source as to be likely to pollute the water thereof.

72. *Power to have building or land cleansed.*—If the owner or occupier of any building or land suffers the same to be in a filthy or unwholesome state, the Political Agent, may, by notice in writing, require him within twenty-four hours to cleanse the same or otherwise put it in a proper state.

73. *Powers in respect of building unfit for habitation.*—If any building appears to the Political Agent to be unfit for human habi-

tation in consequence of the want of proper means of drainage or ventilation or for any other sufficient reason, the Political Agent may, by notice in writing, prohibit the owner or occupier thereof from using the same for human habitation or suffering it to be so used until the Political Agent is satisfied that it has been rendered fit for such use.

74. *Power to require untenanted buildings becoming a nuisance to be secured or enclosed.*—The Political Agent may, by notice in writing, require the owner or person claiming to be the owner of any building or land which, by reason of abandonment, of disputed ownership or other cause, remains untenanted and thereby becomes a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a reasonable time to be fixed in the notice.

75. *Cultivation, use of manure or irrigation injurious to health, after prohibition.*—(1) The Political Agent, with the concurrence of the Committee, may, on the report of the Civil Surgeon that the cultivation of any description of crop or the use of any kind of manure or the irrigation of land in any specified manner in any place within the limits of the Municipality is injurious to the health of persons dwelling in the neighbourhood, by notification prohibit the cultivation of the crop, the use of the manure, or the irrigation so reported to be injurious, or regulate such cultivation, use or irrigation by imposing such conditions thereon as may prevent injury:

Provided that when on any land to which such notification applies the act prohibited has been practised during the five years next preceding the notification in the ordinary course of husbandry, compensation shall be paid from the Municipal Fund to all persons interested therein for any damage caused to them by the effect of such notification.

(2) If any person cultivates, uses manure or irrigates in disregard of the prohibition or conditions notified under sub-section (1), he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with a further fine which may extend to five rupees for every day after the date of such conviction during which the offence is proved before a Magistrate to have been persisted in.

#### *Registration of Trades.*

76. *Regulation of offensive and dangerous trades.*—(1) The owner or occupier of every place within the Municipality used for any of the following purposes, namely:—

melting tallow, or boiling bones, offal or blood;

as a soap house, oil-boiling house, dyeing house or tannery;

as a brick-kiln, pottery or lime-kiln;

as any other manufactory or place of business from which offensive or unwholesome smells arise;

as a yard or dépôt for trade in hay, straw, thatching grass, wood, coal or other highly inflammable material;

<sup>1</sup>[as a stable for milch cattle, sheep or goats maintained for the sale of milk to the public, or for horses, ponies, bullocks, camels or donkeys maintained for hire; or]

as a store-house for kerosine, <sup>2</sup>petroleum, naphtha or any inflammable oil, spirit or explosive substance;

shall register the same in a book to be kept by the Political Agent for the purpose.

(2) No place shall be newly used for any of the said purposes except under a license from the Political Agent, which shall be renewable annually.

(3) The license shall not be withheld unless the Political Agent considers that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in or frequenting the immediate neighbourhood.

(4) The Political Agent may charge such fees for such licenses and may impose such conditions in respect thereof <sup>3</sup>[as he may deem fit].

(5) Whoever without such registration or without a license uses any place for any such purpose shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with further fine which may extend to ten rupees for every day during which the offence is proved before a Magistrate to have been persisted in after he has been convicted thereof; and the Political Agent may, after conviction, by notice in writing, direct that the use of such place for such purpose shall be discontinued.

The Political Agent, or any person specially authorised by him in writing in this behalf, may at any time enter and inspect any place or building which there is reason to believe is used without license for any of the purposes enumerated in this section.

**77. Powers to prohibit such trades.**—(1) If it is shown to the satisfaction of the Committee at a meeting that any place licensed under section 76 is a nuisance to the neighbourhood or likely to be dangerous to life, health or property, it may, by notice in writing, require the occupier thereof to discontinue the use of the place, or to use it in such

<sup>1</sup> Inserted by notification No. 135—474-F. R., dated the 14th February, 1923. *Gazette of India*, 1923, Pt. I, p. 146.

<sup>2</sup> The operation of this Law, so far as it relates to the possession or transport of petroleum, is limited to quantities of ordinary petroleum not exceeding 500 gallons and to quantities of dangerous petroleum not exceeding 3 gallons and contained in receptacles such as are described in the proviso to section 6 of the Indian Petroleum Act, 1899 (VIII of 1899). See notification No. 3735--21, dated the 25th May, 1909, printed *infra*, p. 111.

<sup>3</sup> Substituted by notification No. 2592-I. R., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

manner as will in the opinion of the Committee render it no longer a nuisance or dangerous.

(2) Whoever, after such notice has been given, uses the place or permits it to be used in disregard of such requisition shall on conviction be punished with fine which may extend to two hundred rupees and with further fine which may extend to forty rupees for every subsequent day during which the offence is proved before a Magistrate to have been persisted in.

78. *Execution of acts required to be done by any notice.*—(1) When any notice under this Chapter requires any act to be done for which no time is fixed by this Law it shall fix a reasonable time for doing the same.

(2) When the owner or occupier of any land or building fails to comply with the terms of any notice under this Chapter requiring him to do any act upon that land or building, the Political Agent may, after six hours' notice in writing, cause that act to be done, and may recover the expenses incurred in so doing from the person in default.

79. *Compensation for damage caused by exercise of powers under this Law.*—The Committee may make compensation out of the Municipal Fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the Committee, its officers and servants under this Law, and shall make such compensation where the person sustaining the damage was not himself in default in respect of the matter in respect of which the power was exercised: where the compensation is claimable on account of injury to buildings or land, it shall be calculated with due regard to the provisions of the Land Acquisition Act for the time being in force in British India.<sup>1</sup>

#### *Restraint of Infection.*

80. Whoever—

*Information to be given of cholera or small-pox.*—(a) being a medical practitioner or a person openly and constantly practising the medical profession and in the course of such practice becoming cognizant of the existence of cholera and small-pox in any dwelling other than a public hospital, or, in default of such medical practitioner or person practising the medical profession,

(b) being the owner or occupier of such dwelling, and being cognizant of the existence of cholera or small-pox <sup>2</sup>[or plague] therein or in default of such owner or occupier,

(c) being the person in charge of or in attendance on any person suffering from cholera or small-pox <sup>2</sup>[or plague] in such

<sup>1</sup> Act I of 1894.

<sup>2</sup> Inserted by notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.



dwelling, and being cognizant of the existence of the disease therein,

fails to give information, or gives false information, to the Committee respecting the existence of such disease, shall be punishable with fine which may extend to fifty rupees:

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be punishable if it be shown that he had reasonable cause to suppose that the information had been, or would be, duly given.

81. When any person suffering from cholera or small-pox <sup>1</sup>[or plague] is—

- Removal to hospital of cholera and small-pox patients.*—(a) without proper lodging or accommodation, or
- (b) living in a sarai or other public hostel, or
- (c) living in a room or house which he neither owns nor pays rent for, or
- (d) lodged in premises occupied by members of two or more families and any of such occupiers objects to his continuing to lodge in such premises,

the Committee, by any person authorised by it in this behalf, may, on the advice of any medical officer, remove the patient to any hospital or place at which persons suffering from such diseases are received for medical treatment, and may do anything necessary for such removal.

82. *Prohibition by Committee of use of unwholesome water.*—Should the Committee consider that the water in any well, tank or other place is likely, if used for drinking, to engender or cause the spread of any dangerous disease, it may, by public notice, prohibit the removal or use of such water for drinking.

<sup>2</sup>82-A. The Committee may, by bye-law and with the previous sanction of the Agent to the Governor General—

- (a) prohibit the manufacture or preparation for sale of any specified articles of food or drink in any premises not licensed by the Committee;
- (b) regulate the grant and withdrawal of licenses to premises for the manufacture or preparation for sale of such specified articles of food or drink;
- (c) regulate the hours and manner of transport within the Municipality of any specified articles of food or drink;

<sup>1</sup> Inserted by notification No. 2592-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

<sup>2</sup> Added by notification No. 1901-E. A., dated the 8th December, 1899. *Gazette of India*, 1899, Pt. I, p. 1056.

- (d) fix the places in which any specified article of food or drink may be sold or exposed for sale or the places in which it may not be sold or exposed for sale;
- (e) fix the conditions on which licenses under this section are to be granted and may be revoked:

Provided that no person shall be punishable for breach of any bye-law made under clause (a) or clause (d) of this section by reason of the continuance of such manufacture, preparation or exposure for sale or sale upon any premises which are, at the time of the making of such bye-law, used for such purpose until he has received from the Committee six months' notice in writing to discontinue such manufacture, preparation or exposure for sale or such sale in such premises.

## CHAPTER VII.

### OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

83. *Depositing or throwing earth or materials or refuse, rubbish or offensive matter on roads or into drains.*—Whoever, without the permission of the Political Agent or in disregard of his orders, throws or deposits, or permits his servants or members of his household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind upon any street or public place, or into any public sewer or any drain communicating therewith, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

84. *Discharging sewage.*—Whoever, without the permission of the Political Agent, causes or knowingly or negligently allows the water of any sink, sewer or cesspool or any other offensive matter, to pass or be put upon any street or public place, or into any sewer or drain not set apart for the purpose, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

85. *Non-removal of filth, etc.*—Whoever, being the owner or occupier of any building or land, keeps or knowingly or negligently allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth, or any noxious or offensive matter, in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify the same, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

86. *Making or altering drains without authority.*—Whoever, without the permission of the Political Agent, makes or causes to be made, or alters or causes to be altered, any drain leading into any public sewer or drain under the management of the Committee, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

87. *Penalty for making or keeping latrines, etc., near any source of water-supply.*—Whoever, without the permission of the Committee, makes or keeps for a longer time than one week after notice under section 66, any drain, latrine, urinal, cesspool or other receptacle for filth or refuse within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use, shall be punishable with fine which may extend to twenty rupees, and, when a notice has been issued, with a further fine not exceeding five rupees for each day during which the offence is continued after the lapse of the period allowed for removal.

88. *Keeping animals so as to be injurious to health.*—Whoever keeps any swine in disregard of any orders which the Political Agent may give to prevent them from becoming a nuisance, or keeps any other animals so as to be injurious to health or to become a nuisance, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees, and with a further fine which may extend to five rupees for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in.

89. *Feeding animals on deleterious substances.*—Whoever feeds or allows to be fed any animal which is kept for dairy purposes or may be used for food on deleterious substances, filth or refuse of any kind shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

90. *Driving vehicles without proper lights.*—Whoever drives any vehicle after dark in any public street or thoroughfare unless the vehicle is properly supplied with lights, or there is sufficient moon light to render lights unnecessary, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

91. *Discharging fire-arms, fire-works, etc.*—Whoever discharges fire-arms or air-guns or lets off fire-works or fire-balloons or engages in any game in such a manner as to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

92. *Control of camels.*—Whoever, being a camel-driver, omits, on being requested to do so, to remove his camel so far as may be practicable to a safe distance on the approach of a horse, whether ridden or driven, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

93. *Suffering dogs to be at large.*—Whoever, being the owner or person in charge of any dog which is likely to annoy or intimidate passengers, neglects to restrain it so that it shall not be at large without a muzzle in any street or public place, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

94. *Destruction of mad dogs.*—The Committee, by any person authorised by it in this behalf, may destroy or cause to be destroyed or confined, or cause to be confined, for such period as the Committee may direct, any ownerless dog or any dog suffering from rabies or reasonably suspected to be suffering from rabies.

No damages shall be payable in respect of any dog destroyed under this section.

95. *Altering, obstructing or encroaching upon streets, etc.*—Whoever, without the permission of the Political Agent, alters, obstructs or encroaches upon any street or public drain, aqueduct or sewer, or displaces, takes up or alters the pavement or other materials or the fences or posts of any street or public place, or deposits building materials or makes any hole or excavation on or in any street, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

96. *Picketing animals and collecting carts.*—Whoever, contrary to the orders of the Political Agent, pickets animals or collects carts on any public ground, or uses any such ground as a halting-place for vehicles or animals of any description or as a place of encampment, or causes or permits animals to stray, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

97. *Carrying corpses by prohibited routes or so as to cause annoyance.*—Whoever carries a corpse along a prohibited route or in a manner likely to cause annoyance to the public, shall, on conviction by a Magistrate, be punished with fine which may extend to ten rupees.

98. *Destroying direction-post, lamp-post, etc.*—Whoever, without being authorised by the Political Agent, defaces or disturbs any direction-post or lamp-post, or extinguishes any light in any street or public place shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

99. *Penalty for disobedience to orders under Chapter VI.*—Whoever disobeys <sup>1</sup>[any bye-law issued under section 82-A or] any lawful directions given by public notice or disobeys any written notice lawfully issued under the powers conferred by Chapter VI or by rules under section 102 of this Law, or fails to comply with the conditions subject to which any permission was given to him under those powers shall.

<sup>1</sup> Inserted by notification No. 1901-E. A., dated the 8th December, 1899 *Gazette of India*, 1899, Pt. I, p. 1056.

if the disobedience or <sup>1</sup>[omission] is not an offence punishable under any other section, on conviction before a Magistrate, be punished with fine which may extend to fifty rupees, and in the case of a continuing breach, with a further fine which may extend to five rupees, for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in:

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in this Law, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of this Law.

## CHAPTER VIII.

### SUPPLEMENTAL.

100. *Control*.—The Political Agent and the Committee shall be subject in all respects to the control of the Commissioner and of the Agent to the Governor General.

101. *Vaccination*.—The Agent to the Governor General may, by notification in the *Gazette of India*, declare that from a date to be fixed in the notification, the Vaccination Act (XIII of 1880) shall apply,<sup>2</sup> so far as it can be made applicable, to the Municipality.

102. *General rules*.—(1) The Agent to the Governor General may from time to time frame forms for any proceedings of the Committee for which he considers that a form should be provided, and make rules consistent with this Law as to—

- (a) the appointment of members, and their term of office;
- (b) the conduct of proceedings at meetings;
- (c) the assessment and recovery of taxes, fees and moneys claimable under this Law, and for preventing evasion of the same;

<sup>3</sup>[(cc) the fixing of octroi limits for the purpose of collecting octroi and prescribing routes by which animals or goods or both which are subject to octroi may be imported within these limits;]

<sup>4</sup>(d) the authority on which money may be paid from the Municipal fund and the management and regulation of a Provident Fund established under sub-section (3) of section 18;

<sup>1</sup> Substituted by notification No. 1153-F. A., dated the 4th August, 1898. *Gazette of India*, 1898, Pt. I, p. 873.

<sup>2</sup> It was so applied from the 1st January, 1897, by notification No. 9083, dated the 15th December, 1896. *Gazette of India*, 1896, Pt. I, p. 1300.

<sup>3</sup> Inserted by notification No. 148-F., dated the 25th March, 1920. *Gazette of India*, 1920, Pt. I, p. 576.

<sup>4</sup> Substituted by notification No. 3947-Est. B., dated the 26th November, 1909. *Gazette of India*, 1909, Pt. I, p. 1636.

- (e) the conditions on which property under management of the Committee may be transferred by lease, or otherwise;
- (f) the control of traffic, public processions and music;
- (g) the registration of births and deaths, the regulation of vaccination, compulsory or otherwise, and the taking of a census;
- <sup>1</sup>[(gg) the inspection and proper regulation of markets, the preparation and exhibition of a price current and the fixing of the fees, rents and other charges to be levied in such markets;]
- (h) the offences under this Law or under rules made thereunder which shall be cognizable by the Police; and
- (i) generally for the purpose of this Law.

<sup>2</sup>(2) The Committee, with the previous sanction of the Agent to the Governor General, may by bye-law—

- (a) render licenses necessary for the proprietors or drivers of vehicles drawn by animals, or persons, kept or plying for hire within the limits of the Municipality, and fix the fees payable for such licenses, and the conditions on which they are to be granted and may be revoked; and
- (b) limit the rates which may be demanded for the hire of any vehicle, and the loads to be carried by such vehicle when hired within the Municipality for a period not exceeding twenty-four hours or for a service which would ordinarily be performed within twenty-four hours:

Provided that no such bye-law shall apply to any vehicle to which the Quetta Hackney Carriage Law, 1889,<sup>3</sup> applies;

- <sup>4</sup>[(c) regulate the posting of bills and advertisements, and the position, size, shape and style of name-boards, sign-boards, and sign-posts.]

103. *Rules with respect to disorderly persons.*—The Agent to the Governor General may make rules for the suppression of mendicancy and of loitering or importuning for the purpose of prostitution, and for the removal and exclusion from the Municipality of disorderly persons, of persons convicted under Chapter XVII of the Indian Penal Code, or ordered under the <sup>5</sup>Code of Criminal Procedure, 1882, to

<sup>1</sup> Inserted by notification No. 91-F., dated the 29th February, 1920. *Gazette of India*, 1920, Pt. I, p. 419.

<sup>2</sup> Inserted by notification No. 2143-E. A., dated the 27th December, 1901. *Gazette of India*, 1901, Pt. I, p. 1059.

<sup>3</sup> Printed *supra*, p. 21.

<sup>4</sup> Inserted by notification No. 243-F., dated the 31st May, 1926 *Gazette of India*, 1926, Pt. I, p. 665.

<sup>5</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898).

execute a bond for their good behaviour and of persons whom the Agent to the Governor General deems it necessary to exclude from the Municipality with or without assigning any reasons for excluding them therefrom.

104. *Penalties for breaches of rules under sections 102 and 106, and commencement of such rules.*—(1) In making any rule <sup>1</sup>[or bye-law] under either of the two last foregoing sections, the Agent to the Governor General <sup>1</sup>[or the Committee, as the case may be,] may direct that a breach of it shall be punishable, on conviction by a Magistrate, with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

(2) No rule <sup>1</sup>[or bye-law] under either of the said sections shall come into force until it has been notified by the Agent to the Governor General <sup>1</sup>[or the Committee, as the case may be].

105. *Brothels.*—On the complaint of three or more inhabitants of the Municipality that a house, in their immediate neighbourhood and within the limits of the Municipality, is used as a brothel or by disorderly persons of any description to the annoyance of the respectable inhabitants of the vicinity, any Magistrate of the first class having, as such, jurisdiction in the place where the house is situated may summon the owner or tenant of the house to answer the complaint; and on being satisfied that the house is so used, and is a source of annoyance and offence to the neighbours, may order the owner or tenant to discontinue such use of it; and, if he shall fail to comply with such order within five days, may impose upon him a fine not exceeding twenty-five rupees for every day thereafter on which it is proved that the house has continued to be so used.

106. *Penalty on member, officer or servant of Committee being interested in contract made with Committee.*—If any member, officer or servant of the Committee is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with the Committee he shall be deemed to have committed an offence under section 168 of the Indian Penal Code.

107. *Suits and prosecutions against Committee.*—No suit or prosecution shall be entertained by any Court against the Committee or any officer or person for anything in good faith done or purporting to be done in pursuance of powers conferred by or under this Law on such

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<sup>1</sup> Inserted by notification No. 2143-E. A., dated the 27th December, 1901. *Gazette of India*, 1901, Pt. I, p. 1059.

Committee, officer or person, whether the thing done was or was not authorised by the power so conferred.

108. *Acquisition of land under Act I of 1894.*—Where any land, whether within or without the limits of the Municipality, is required for the purposes of this Law, the Agent to the Governor General may, at the request of the Committee, proceed to acquire it under the provisions of the Land Acquisition Act, 1894; and, on payment by the Committee of the compensation awarded under that Act, and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the Agent to the Governor General for the time being for the purposes of this Law.

109. *Member not to be deemed interested in prosecution.*—No Judge or Magistrate shall be deemed to be a party to, or personally interested in, any prosecution for an offence punishable under this Law or any rule thereunder or any other law, within the meaning of section 555 of the Code of Criminal Procedure, 1882,<sup>1</sup> by reason only of his being or having been a member of the Committee by the order, or under the authority, of which it has been instituted, or because as Political Agent he merely approved the prosecution.

110. *Conduct of prosecution and enforcement of fines under this Law.*—(1) Subject to such rules as the Agent to the Governor General may make under section 102 prescribing the offences which shall be cognizable by the police, no Court shall take cognizance of an offence punishable under this Law or rule made thereunder except on the complaint of the Political Agent or of some person authorised by him in this behalf.

(2) In default of payment of any fine imposed under this Law or rule made thereunder, the defaulter shall be liable to simple imprisonment for a term not exceeding eight days.

111. *Saving of prosecutions under other laws.*—Nothing contained in this Law shall be construed to prevent any person from being prosecuted under any other law for any offence made punishable by this Law or from being liable under any other law to any higher penalty or punishment than is provided for such offence by this Law or by any rule made thereunder:

Provided that no person shall be punished twice for the same offence.

112. *Recovery of taxes, etc.*—Any arrear of any tax or any fee or other money claimable by or on behalf of the Committee may, in addition to any manner provided under section 102, be recovered on

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<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898).



application to a Magistrate having jurisdiction within the limits of the Municipality by the distress and sale of any moveable property within those limits belonging to the person from whom the money is claimable; and if payable by the owner in respect of any property, movable or immoveable, such arrear shall be a charge on the property.

113. *Vacancies and irregularities not to invalidate proceedings.*—No act done nor any proceeding taken under this Law shall be questioned on account merely of the existence of any vacancy in the Committee or on account of any defect or irregularity not affecting the merits of the case.

114. *Validation of acts done before the commencement of this Law.*—All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in the civil station and town, hitherto known and administered as the Municipality of Quetta before this Law comes into force by any officer of the Government or by any person acting under his authority, or otherwise in pursuance of an order of the Government and which have been or may hereafter be ratified by the Agent to the Governor General, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

[*Gazette of India*, 1896, Pt. I, p. 674.]

*Application of portions of Quetta Municipal Law to Railway Area at Quetta.*

No. 879-D., dated the 21st December, 1914.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply to the Railway Area at Quetta specified in the Schedule hereto annexed the first twenty-one words of sub-section (iii) and sub-sections (vii) to (x) of section 2, sections 21 (i) (c), 24 to 31, 58, 61, 93, 94, 100, 102 (i) (c) and (h), 104, 110, and 112 of the Quetta Municipal Law, 1896,<sup>1</sup> so far as they are applicable and relate to the imposition, assessment, and recovery of a dog-tax:

Provided that, for the word "Committee" in sections 30 (2), 94, 102 (i) and 104 (i), the words "Political Agent" shall be substituted, the words "and the Committee" shall be deleted from section 100, and the word "Municipality" wherever it occurs in the said sections shall be read as relating to the Railway Area of Quetta so specified.

<sup>1</sup> Printed *supra*, p. 23.

2. All sums received under this Law shall be credited to the Municipal Fund.

*The Schedule.*

District.	Tahsil.	Direction.	Boundaries.
Quetta	Quetta	West of the Lytton Road.	North Municipal Boundary Pillars 28-A to 1. South Municipal Boundary Pillars 25 to A7, East Municipal Boundary Pillars 1 to 25. West Municipal Boundary Pillars 7A to 28A.

[*Gazette of India*, 1914, Pt. I, p. 2273.]

*Chagai Agency Passport Law, 1926.*

**No. 445-G., dated the 27th September, 1926.**—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following law:—

1. This law may be called the Chagai Agency Passport Law, 1926.
2. No person proceeding from any place outside India shall enter the Chagai Agency unless he—
  - (a) is in possession of a passport endorsed by way of *visa* for British India in accordance with the requirements of the Indian Passport Rules, 1921, or
  - (b) is exempted under rule 5 of the said rules from the provisions of rule 3 thereof.
3. Any officer empowered in this behalf by the Agent to the Governor General in Baluchistan shall have all necessary authority to prevent the entry into, or to remove from, the Chagai Agency any person who attempts to enter, or has entered, the said Agency in contravention of section 2.

[*Gazette of India*, 1926, Pt. I, p. 1061.]



## V.—Orders relating to Courts.

### *Execution of capital sentences in British India.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX..

*Criminal Law and Procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV..

*Jurisdiction of the High Court at Lahore over European British subjects in the Agency territories.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit for trial to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV..

### *Appointment of Justices of the Peace.*

No. 93-I. B.-S, dated the 1st April, 1919.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to appoint the officers for the time being holding the offices specified in the first column of the First Schedule hereto annexed, being European British subjects, to be Justices of the Peace within the territories mentioned opposite their designations in the second column of the said Schedule.

2. The notifications of the Government of India specified in the Second Schedule hereto annexed are hereby cancelled.

### *First Schedule.*

Office.	Territory.
1. Agent to the Governor General, Baluchistan.	Territories of His Highness the Khan of Kalat and of the Jam of Las Bela and the territories administered by the Agent to the Governor General in Baluchistan as such Agent.
2. Political Agent, Quetta . . .	
3. Political Agent, Kalat and Bolan Pass.	
4. Political Agent, Loralai . . .	
5. Political Agent, Sibi . . .	
6. Political Agent, Zhob . . .	

*First Schedule—contd.*

Office.	Territory.
7. Assistant Political Agent, Kalat and Bolan Pass.	Territories of His Highness the Khan of Kalat and the territories administered by the Agent to the Governor General in Baluchistan as such Agent.
8. Director of Persian Gulf Telegraphs.	Territories of His Highness the Khan of Kalat and of the Jam of Las Bela.
9. Assistant Political Agent, Quetta.	} Quetta District.
10. Extra Assistant Commissioner, Quetta.	
11. Cantonment Magistrate, Quetta.	Quetta Cantonment.

*Second Schedule.*

Foreign Department notifications:—

No. 814-E., dated the 19th April, 1890.

No. 1799-E., dated the 9th September, 1891.

No. 3076-F. B., dated the 16th October, 1903.

No. 3472-F. B., dated the 9th September, 1904.

No. 1984-I. B., dated the 10th October, 1910.

[*Gazette of India, Extraordinary, 1919, p. 305.*]

<sup>1</sup>*Other Criminal Courts.*

*The administrative districts in the Agency Territories to be districts for the purposes of the Code of Criminal Procedure and the Political Agent in each to be District Magistrate.*

No. 4825, dated the 16th October, 1903.—By direction of the Governor General in Council and in exercise of the powers conferred by the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and by the Baluchistan Agency Civil Justice Law, 1896, the said Agent is pleased to issue the following orders:—

- (1) Each of the districts <sup>2</sup>[for the time being specified] in notification<sup>3</sup> No. 4824 of this date shall be a district<sup>4</sup> for the purposes of the Code of Criminal Procedure, 1898, as applied to the territories above referred to, and shall be the

<sup>1</sup> Under section 1 of the British Baluchistan Criminal Justice Regulation, 1896, as now in force in the Agency territories, the Judicial Commissioner is High Court, except in proceedings against European British subjects, but sentences of death passed or confirmed by him are subject to confirmation by the Agent to the Governor General.

<sup>2</sup> Substituted by notification No. 577-J., dated the 23rd May, 1929. *Gazette of India, 1929, Pt. II-A, p. 233.*

<sup>3</sup> Printed *infra*, p. 164.

<sup>4</sup> Under section 3 of the British Baluchistan Criminal Justice Regulation, 1896, as now in force in the Agency Territories each district is a Sessions Division, the Court of the District Magistrate is the Court of Session, and the District Magistrate is Judge of that Court, with power to take cognizance of any offence as a Court of original jurisdiction without the accused being committed by a Magistrate.

area subject to the jurisdiction of the Court of a Political Agent for the purposes of the Baluchistan Agency Civil Justice Law, 1896.

- (2) The person for the time being appointed by the Governor General in Council to hold the office of Political Agent in each of those districts shall be a Magistrate<sup>1</sup> of the 1st class and the District Magistrate for the purposes of the Code of Criminal Procedure, 1898, as applied to the territories above referred to.

[*Gazette of India*, 1903, Pt. II, p. 1153.]

*Court of Session, Bolan Pass District, authorised to sit at Quetta.*

No. 5856, dated the 22nd June, 1900.—Under section 9 (2) of the Criminal Procedure Code as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General in Baluchistan is pleased to direct that the Court of Session, Bolan Pass District, may, when such a course is convenient to the parties or is expedient for the Court of Justice, hold its sittings in Quetta.

[*Gazette of India*, 1900, Pt. II, p. 753.]

*Assistant Political Agent, Quetta, to be an Additional Sessions Judge of the Quetta Division.*

No. 505-J., dated the 1st September, 1920.—In exercise of the powers conferred by Section 9 (3) of the Criminal Procedure Code, 1898, the Agent to the Governor General is pleased to appoint the Assistant Political Agent, Quetta, for the time being to be an Additional Sessions Judge of the Quetta Sessions Division to try such cases as are referred to him by the Sessions Judge.

[*Not published.*]

*Extra Assistant Commissioner, Quetta-Pishin, to be an Additional Sessions Judge of the Quetta Division.*

No. 168-J., dated the 15th April, 1924.—Under the provisions of section 9 (3) of the Code of Criminal Procedure, 1898, as in force in the Baluchistan Agency Territories by virtue of Foreign Department notification<sup>2</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to appoint the Extra Assistant

<sup>1</sup> Under section 3 of the British Baluchistan Criminal Justice Regulation, 1896, as now in force in the Agency Territories each district is a Sessions Division, the Court of the District Magistrate is the Court of Session, and the District Magistrate is Judge of that Court, with power to take cognizance of any offence as a Court of original jurisdiction without the accused being committed by a Magistrate.

<sup>2</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

Commissioner, Quetta-Pishin, for the time being to be an Additional Sessions Judge in the Quetta Sessions Division to try such cases as are referred to him by the Sessions Judge.

[*Not published.*]

*Appointment of Additional District Magistrates.*

No. 169-J., dated the 15th April, 1924.—Under the provisions of section 10 (2) of the Code of Criminal Procedure, 1898, as amended, and as in force in the Baluchistan Agency Territories by virtue of Foreign Department notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to appoint the person for the time being holding the office of the Extra Assistant Commissioner, Quetta-Pishin, and being a Magistrate of the First Class, to be an Additional District Magistrate in the Quetta District. He shall have all the powers of a District Magistrate under the said Code.

[*Not published.*]

No. 594-J., dated the 23rd May, 1929.—In exercise of the powers conferred by sub-section (2) of section 10 of the Code of Criminal Procedure, 1898 (Act V of 1898), as in force in the Baluchistan Agency Territories, the Agent to the Governor General in Baluchistan is pleased to appoint—

- (1) the Assistant Political Agent, Quetta,
- (2) the Extra Assistant Commissioner, Bolan Nushki and Kachhi Railway District, and
- (3) the Extra Assistant Commissioner, Nushki,

being Magistrates of the First Class, to be Additional District Magistrates within their respective charges, and to exercise the ordinary powers of a Sub-Divisional Magistrate specified in Part IV of Schedule III of the said Code.

[*Gazette of India*, 1929, Pt. II-A, p. 235.]

*Division of Districts into Sub-Divisions.*

No. 4826, dated the 16th October, 1903.—Printed *infra*, p. 110.

*Appointment of Magistrates.*

No. 4827, dated the 16th October, 1903.—In exercise of the powers conferred on the Local Government by section 12 of the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be Magistrates of the class specified opposite those offices in the second column of

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

that table, in the local areas specified opposite those offices in the third column of that table, respectively:—

I.—Offices.	II.—Classes.	III.—Local Areas.
1. The office of Assistant Political Agent of Quetta.	1st class	The Quetta District.
2. The office of Extra Assistant Commissioner of Quetta.	,,	The Quetta District.
3. The office of Assistant Political Agent of Zhob.	,,	The Zhob District.
4. The office of Extra Assistant Commissioner of Upper Zhob.	,,	The Upper Zhob Sub-Division.
5. The office of Extra Assistant Commissioner of Lower Zhob.	,,	The Lower Zhob Sub-Division.
*[6. The office of Assistant Political Agent of Kohlu and Nasirabad District.	,,	The Kohlu and Nasirabad District.]
7. The office of the Extra Assistant Commissioner, Kohlu and Railway Sub-Division.	,,	The Kohlu and Railway Sub-Division.
*[8. The office of Extra Assistant Commissioner, Nasirabad Sub-Division.	,,	The Nasirabad Sub-Division.]
9. The office of Assistant Political Agent of Loralai.	,,	The Loralai District.
10. The office of Extra Assistant Commissioner of Musakhel and Barkhan.	,,	The Musakhel and Barkhan Sub-Division.
11. The office of Extra Assistant Commissioner of Sinjawi.	,,	The Sinjawi and Bori Sub-Divisions.
*[12. The office of Assistant Political Agent of Bolan, Nushki and Kachhi Railway [District.] <sup>1</sup>	,,	The Bolan, Nushki and Kachhi Railway [District.] <sup>2</sup>
*[13. The office of Extra Assistant Commissioner of Bolan, Nushki and Kachhi Railway [District.] <sup>3</sup>	,,	The Bolan, Nushki and Kachhi Railway [District.] <sup>3</sup>
14. The office of Treasury Officer of Quetta.	2nd class	The Quetta * [District.]
15. The office of Munsiff of Quetta	,,	The Quetta * [District.]
16. The office of Tahsildar of Quetta	,,	The Quetta Tahsil.
17. The office of Tahsildar of Bori	,,	The Bori Tahsil.
18. The office of Tahsildar of Barkhan	,,	The Barkhan Tahsil.
19. The office of Tahsildar of Fort Sandeman.	,,	The Fort Sandeman Tahsil.
*[20. The office of the Extra Assistant Commissioner, Bolan Pass and Nushki Railway.	,,	The Court of the Extra Assistant Commissioner, Bolan Pass and Nushki Railway.]

<sup>1</sup> Amended by notification No. 124-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 564.

<sup>2</sup> Substituted by notification No. 222-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 131.

<sup>3</sup> Substituted by notification No. 593-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A., p. 235.

<sup>4</sup> Substituted by notification No. 3476-I. B., dated the 30th October, 1913. *Gazette of India*, 1913, Pt. I, p. 993.



I.—Offices.	II.—Classes.	III.—Local Areas.
21. The office of Tahsildar of Hindubagh.	2nd class .	The Hindubagh Tahsil.
22. The office of Tahsildar of Killa Saifulla.	„ .	The Killa Saifulla Tahsil.
23. The office of Tahsildar of Nasirabad	„ .	The Nasirabad Sub-Division.
24. The office of Naib-Tahsildar of Kohlu.	„ .	The Kohlu Tahsil.
25. The office of Naib-Tahsildar of Sinjawi.	„ .	The Sinjawi Tahsil.
26. The office of Munsiff of Railway Tahsil.	„ .	The Kohlu Railway Tahsil.
27. The office of Naib-Tahsildar of Quetta.	3rd class .	The Quetta Tahsil.
28. The office of Naib-Tahsildar of Bori.	„ .	The Bori Tahsil.
28. (a) The office of the 2nd Naib-Tahsildar of Bori.	„ .	The Bori Tahsil.
29. The office of First Naib Tahsildar, Fort Sandeman.	„ .	The Fort Sandeman Tahsil.
30. The office of Second Naib Tahsildar of Fort Sandeman.	„ .	The Fort Sandeman Tahsil * * *
30. (a) The office of Third Naib-Tahsildar of Fort Sandeman.]	„ .	The [Fort Sandeman Tahsil.] <sup>3</sup>
31. The office of Naib-Tahsildar of Musakhel.	„ .	The Musakhel Tahsil.
32. The office of Naib-Tahsildar of Hindubagh.	„ .	The Hindubagh Tahsil.
33. The office of Naib-Tahsildar of Killa Saifulla.	„ .	The Killa Saifulla Tahsil.
34. The office of Naib-Tahsildar of Barkhan.	„ .	The Barkhan Tahsil.
35. The office of Naib-Tahsildar of Nasirabad.	„ .	The Nasirabad Tahsil.
36 The office of Naib-Tahsildar of Bolan, Nushki and Kachhi Railway.	„ .	The Bolan, Nushki and Kachhi Railway Tahsils.]

[*Gazette of India*, 1903, Pt. II, p. 1153.]

No. 166-J., dated the 15th April, 1924.—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898, as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices hereinafter named to be

<sup>1</sup> Amended, renumbered, and original entry 23 deleted by notification No. 222-P., dated the 17th February 1927. *Gazette of India*, 1927, Pt. II-A., p. 131.

<sup>2</sup> Inserted by notification No. 3393, dated the 23rd July, 1906. *Gazette of India*, 1906, Pt. II, p. 959.

<sup>3</sup> Amended by notification No. 124-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 564.

<sup>4</sup> Added by notification No. 222-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 131.

<sup>5</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 8.

Magistrates of the first class within the local limits of the Quetta District:—

- (1) The office of the Extra Assistant Commissioner, Quetta-Pishin.
- (2) The office of the Extra Assistant Commissioner, Quetta Sub-Division.

[*Not published.*]

*No. 1156-P., dated the 2nd April, 1929.*—Under the provisions of section 12 of the Code of Criminal Procedure, 1898 (V of 1898), as in force in the Baluchistan Agency Territories the Hon'ble the Agent to the Governor General is pleased to appoint the officer for the time being holding the office of Judicial Officer, Quetta Cantonment, to be a Magistrate of the first class within the limits of the Quetta Cantonment.

[*Gazette of India, 1929, Pt. II-A, p. 150.*]

*No. 582-J., dated the 23rd May, 1929.*—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898) as in force in the Baluchistan Agency Territories, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be Magistrates of the classes specified opposite those offices in the second column of that table, in the local areas specified opposite those offices in the third column of that table respectively:—

I—Offices.	II—Classes.	III—Local Areas.
1. The office of Extra Assistant Commissioner of Nushki.	1st class .	The Chagai District.
2. The office of Tahsildar of Nushki .	2nd class .	The Nushki Tahsil.
3. The office of Tahsildar of Dalbandin .	„ .	The Dalbandin Tahsil.
4. The office of Naib-Tahsildar of Nushki.	3rd class .	The Nushki Tahsil.

[*Gazette of India, 1929, Pt. II-A, p. 233.*]

*Magistrates placed in charge of Sub-Divisions.*

*No. 4828, dated the 16th October, 1903.*—In exercise of the powers conferred on the Local Government by section 13 of the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the said

Agent is pleased to place the following Magistrates in charge of the sub-divisions named against each:—

Magistrate.						Sub-Divisions.		
* * * * *						*	*	*
<sup>1</sup> [(1)]	The Extra Assistant Commissioner and 1st class Magistrate, Upper Zhob.					The Upper Zhob Sub-Division.		
<sup>1</sup> [(2)]	The Extra Assistant Commissioner and 1st class Magistrate, Lower Zhob.					The Lower Zhob Sub-Division.		
1*	*	*	*	*	*	*	*	*
3*	*	*	*	*	*	*	*	*
<sup>1</sup> [(3)]	The Extra Assistant Commissioner and 1st class Magistrate of Kohlu and Railway Sub-Division.					The Kohlu and Railway Sub-Division.		
<sup>2</sup> [(4)]	<sup>4</sup> [The Extra Assistant Commissioner and 1st Class Magistrate of Nasirabad Sub-Division.]					The Nasirabad Sub-Division.]		
<sup>2</sup> [(5)]	The Assistant Political Agent and 1st class Magistrate, Loralai.					The Bori Sub-Division.		
<sup>2</sup> [(6)]	The Extra Assistant Commissioner and 1st class Magistrate, Sinjawi.					The Sinjawi Sub-Division.		
<sup>2</sup> [(7)]	The Extra Assistant Commissioner and 1st class Magistrate, Musakhel and Barkhan.					The Musakhel and Barkhan Sub-Division.		
	*	*	*	*	*	*	*	*

[*Gazette of India*, 1903, Pt. II, p. 1155.]

*Magistrates empowered to hear appeals from convictions by Magistrates of the 2nd and 3rd classes.*

No. 4830, dated the 16th October, 1913.—In exercise of the powers conferred on the Local Government by section 37 of the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to empower the persons for the time being holding the offices specified in the first column of the annexed table, to hear appeals from the decisions of any 2nd or 3rd class Magistrate exercising

<sup>1</sup> Omitted by notification No. 592-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A., p. 235.

<sup>2</sup> Re-numbered by ditto.

<sup>3</sup> Deleted by notification No. 125-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 564.

<sup>4</sup> Substituted by notification No. 223-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 132.

jurisdiction within the local areas specified opposite those offices in the second column of that table, respectively:—

I.—Offices.

II.—Local Areas.

- |   |   |
|---|---|
| 1. The office of Assistant Political Agent and 1st class Magistrate of Quetta.  | The Quetta District.                                |
| 2. The office of Extra Assistant Commissioner and 1st class Magistrate of Quetta.   | The Quetta District.                                |
| 3. The office of Assistant Political Agent and 1st class Magistrate of Zhob.  | The Zhob District.                                  |
| 4. The office of Extra Assistant Commissioner and 1st class Magistrate, Upper Zhob.   | The Upper Zhob Sub-Division.                        |
| 5. The office of Extra Assistant Commissioner and 1st class Magistrate, Lower Zhob.   | The Lower Zhob Sub-Division.                        |
| 6. The office of Assistant Political Agent and 1st class Magistrate of Loralai.   | The Loralai District.                               |
| 7. The office of Extra Assistant Commissioner and 1st class Magistrate, Musakhel and Barkhan.                                     | The Musakhel and Barkhan Sub-Division.              |
| 8. The office of Extra Assistant Commissioner and 1st class Magistrate, Sinjawi.  | The Sinjawi Sub-Division.                           |
| <sup>1</sup> [9. The office of Assistant Political Agent and 1st class Magistrate, Kohlu and Nasirabad District.                  | The Kohlu and Nasirabad District.]                  |
| 10. The office of Extra Assistant Commissioner and 1st class Magistrate, Kohlu and Railway Sub-Division.                          | The Kohlu and Railway Sub-Division.                 |
| <sup>1</sup> [11. The office of Extra Assistant Commissioner and 1st class Magistrate, Nasirabad Sub-Division.                    | The Nasirabad Sub-Division.]                        |
| <sup>1</sup> [12. The office of Assistant Political Agent and 1st class Magistrate, Bolan, Nushki and Kachhi Railway District.    | The Bolan, Nushki and Kachhi Railway District.]     |
| <sup>1</sup> [13. The office of Extra Assistant Commissioner and 1st class Magistrate, Bolan, Nushki and Kachhi Railway District. | The Bolan, Nushki and Kachhi Railway Sub-Division.] |

\* \* \* \* \*

[*Gazette of India*, 1903, Pt. II, p. 1156.]

No. 583-J., dated the 23rd May, 1929.—In exercise of the powers conferred by section 37 of the Code of Criminal Procedure, 1898 (Act V of 1898) as in force in the Baluchistan Agency Territories, the Agent to the Governor General is pleased to empower the person for

<sup>1</sup>Substituted by notification No. 225-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 132.

the time being holding the office of Extra Assistant Commissioner and 1st Class Magistrate, Nushki, to hear appeals from the decisions of any Second or Third Class Magistrates exercising jurisdiction within the local limits of the Chagai District.

[*Gazette of India*, 1929, Pt. II-A, p. 233.]

*Naib Tahsildar, Sinjawi, empowered to record statements and confessions.*

*No. 550-J., dated the 27th July, 1926.*—Under the authority vested in him by Section 164 of the Code of Criminal Procedure (V) of 1898, as in force in the Baluchistan Agency Territories by virtue of the Government of India, Foreign Department, Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to empower the Naib Tahsildar and 2nd Class Magistrate at Sinjawi for the time being to record statements and confessions.

[*Gazette of India*, 1926, Pt. II-A, p. 292.]

*Magistrates empowered to try summarily.*

*No. 4829, dated the 16th October, 1903.*—In exercise of the powers conferred on the Local Government by section 260 of the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to empower the persons for the time being holding the offices hereinafter named, and being Magistrates of the first class, to try in a summary way all or any of the offences mentioned in the aforesaid section:—

1. The office of the Assistant Political Agent, Quetta.
2. The office of the Assistant Political Agent, Zhob.
3. The office of the Extra Assistant Commissioner, Upper Zhob.
4. The office of the Extra Assistant Commissioner, Lower Zhob.
- <sup>2</sup>[5. The office of the Assistant Political Agent, Kohlu and Nasirabad District.]
6. The office of the Extra Assistant Commissioner, Kohlu and Railway Sub-Division.
- <sup>2</sup>[7. The office of the Extra Assistant Commissioner, Nasirabad Sub-Division.]
8. The office of the Assistant Political Agent, Loralai.

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>2</sup> Substituted by notification No. 224-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 132.

9. The office of the Extra Assistant Commissioner, Musakhel and Barkhan.
10. The office of the Extra Assistant Commissioner, Sinjawi.
11. The office of the Extra Assistant Commissioner, Quetta.
- <sup>1</sup>[12. The office of the Judicial Officer, Quetta Cantonment.]
- <sup>2</sup>[13. The office of the Assistant Political Agent, Bolan, Nushki and Kachhi Railway District.]

[*Gazette of India*, 1903, Pt. II, p. 1155.]

No. 167-J., dated the 15th April, 1924.—In exercise of the powers conferred by section 260 of the Code of Criminal Procedure, 1898, as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>3</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to empower the persons for the time being holding the offices hereinafter named and being Magistrates of the first class, to try in a summary way all or any of the offences mentioned in the aforesaid section:—

- (1) The office of the Extra Assistant Commissioner, Quetta-Pishin.
- (2) The office of the Extra Assistant Commissioner, Quetta. Sub-Division.

[*Not published.*]

No. 584-J., dated the 23rd May, 1929.—In exercise of the powers conferred by section 260 of the Code of Criminal Procedure, 1898 (Act V of 1898) as in force in the Baluchistan Agency Territories, the Agent to the Governor General is pleased to empower the person for the time being holding the office of the Extra Assistant Commissioner, Nushki, and being a Magistrate of the 1st Class, to try summarily all or any of the offences mentioned in the aforesaid section.

[*Gazette of India*, 1929, Pt. II-A, p. 233.]

*Number of jury in the Quetta Sessions Division.*

No. 5151, dated the 3rd November, 1906.—Under the provisions of section 274 of the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, the Agent to the Governor General is pleased to direct that in a trial by jury before the Court of Session in the Quetta District the jury shall consist of five persons.

[*Gazette of India*, 1906, Pt. II, p. 1443.]

<sup>1</sup> Substituted by notification No. 595-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A., p. 235.

<sup>2</sup> Substituted by notification No. 224-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 132.

<sup>3</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

*Number of jury in the Bolan, Nushki and Kachhi Sessions Division.*

No. 248-J., dated the 19th June, 1918.—Under the provisions of section 274 (2) of the Code of Criminal Procedure, 1898 (V of 1898), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to direct that in all trials by jury before the Court of Sessions in the Bolan Pass and Nushki Railway District the jury shall consist of three persons.

[Not published.]

*Jurisdiction of Criminal Courts of Indian States over Indian officers and soldiers in the Indian Army.*

Letter of the Government of India, No. 1389-I. A., dated the 18th April, 1905.—Printed in Appendix XX.

*Civil Courts.—Appointment of presiding officers of Civil Courts.*

No. 3072-F. B., dated the 16th October, 1903.—In exercise of the power conferred by section 4, sub-section (1) of the Baluchistan Agency Civil Justice Law, 1896,\* and in supersession of the notification of the Government of India in the Foreign Department, No. 273-E. A., dated the 12th February, 1897, the Governor General in Council is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the Courts specified opposite those offices in the second column of that table respectively :—

Offices.	Courts.
1. The office of the Judicial Commissioner in Baluchistan.	The Court of the Judicial Commissioner in Baluchistan.
2. The office of the Political Agent in Quetta.	The Court of the Political Agent in Quetta.
3. The office of the Political Agent in Zhob.	The Court of the Political Agent in Zhob.
*[4. The office of the Political Agent in the Bolan, Nushki and Kachhi Railway.	The Court of the Political Agent in the Bolan, Nushki and Kachhi Railway.]
*[5. The office of the Political Agent in the Kohlu and Nasirabad District.	The Court of the Political Agent in the Kohlu and Nasirabad District.]
*[6.] The office of the Political Agent in Loralai.	The Court of the Political Agent in Loralai.
*[7. The office of the Political Agent in Chagai.	The Court of the Political Agent in Chagai.]

\* See section 3 of the British Baluchistan Civil Justice Regulation, 1896, as now in force in the Agency Territories.

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>2</sup> Substituted by notification No. 91-I., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. I, p. 312.

<sup>3</sup> Inserted and re-numbered by notification No. 349-F., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. I, p. 753.

Offices.	Courts.
<sup>1</sup> [8.] The office of the Assistant Political Agent in Quetta.	The Court of the Assistant Political Agent in Quetta.
<sup>1</sup> [9.] The office of the Assistant Political Agent in Zhob.	The Court of the Assistant Political Agent in Zhob.
<sup>1</sup> [10.] <sup>2</sup> The office of the Assistant Political Agent in the Bolan, Nushki and Kachhi Railway.	The Court of the Assistant Political Agent in the Bolan, Nushki and Kachhi Railway.]
<sup>1</sup> [11.] <sup>2</sup> The office of the Assistant Political Agent in Kohlu and Nasirabad District.	The Court of the Assistant Political Agent in Kohlu and Nasirabad District.]
<sup>1</sup> [12.] The office of the Assistant Political Agent, Loralai.	The Court of the Assistant Political Agent in Loralai.
1* * * *	* * *
3* * *	* * *

[*Gazette of India*, 1903, Pt. I, p. 915.]

No. 219-P., dated the 17th February, 1927.—In exercise of the powers conferred by sub-section (2) of section 4 of the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896) as in force in the Baluchistan Agency Territories by virtue of the notification<sup>1</sup> of the Government of India in the Foreign Department No. 1603-I. B., dated the 28th July 1911, the Hon'ble the Agent to the Governor General is pleased to direct that entries Nos. 13, 14, 15, 16, 17, 18, 19 and 20 in the table annexed to the notification<sup>2</sup> of the Government of India in the Foreign Department, No. 3072-F. B., dated the 16th October, 1903, shall be omitted, and to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the courts specified opposite those offices in the second column of that table respectively:—

Offices.	Courts.
1. The office of the Extra Assistant Commissioner of Quetta.	The Court of the Extra Assistant Commissioner of Quetta.
2. The office of the Extra Assistant Commissioner of Upper Zhob.	The Court of the Extra Assistant Commissioner of Upper Zhob.
3. The office of the Extra Assistant Commissioner of Lower Zhob.	The Court of the Extra Assistant Commissioner of Lower Zhob.
4. The office of the Extra Assistant Commissioner of Kohlu and Railway Sub-Division.	The Court of the Extra Assistant Commissioner of Kohlu and Railway Sub-Division.
5. The office of the Extra Assistant Commissioner of Nasirabad Sub-Division.	The Court of the Extra Assistant Commissioner of Nasirabad Sub-Division.

<sup>1</sup> Re-numbered and omitted by notification No. 349-F., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. I, p. 753.

<sup>2</sup> Substituted by notification No. 91-I., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. I, p. 312.

<sup>3</sup> Entries 13 to 20 were deleted by notification No. 219-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 130.

<sup>4</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>5</sup> Printed on p. 68, *supra*.



Offices.	Courts.
6. The office of the Extra Assistant Commissioner of Musakhel and Barkhan.	The Court of the Extra Assistant Commissioner of Musakhel and Barkhan.
7. The office of the Extra Assistant Commissioner of Sinjawi.	The Court of the Extra Assistant Commissioner of Sinjawi.
8. The office of the Extra Assistant Commissioner, Bolan, Nushki and Kachhi Railway.	The Court of the Extra Assistant Commissioner, Bolan, Nushki and Kachhi Railway.

[*Gazette of India*, 1927, Pt. II-A, p. 130.]

*No. 162-J., dated the 15th April, 1924.*—In exercise of the powers conferred by section 4 (2) of the British Baluchistan Civil Justice Regulation, 1896, as amended, and as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I.B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the Courts specified opposite those offices in the second column of that table respectively:—

Offices.	Courts.
1. The office of the Extra Assistant Commissioner, Quetta-Pishin.	The Court of the Extra Assistant Commissioner, Quetta-Pishin.
2. The office of the Extra Assistant Commissioner, Quetta Sub-Division.	The Court of the Extra Assistant Commissioner, Quetta Sub-Division.

[*Not published.*]

*No. 1157-P., dated the 2nd April, 1929.*—In exercise of the powers conferred by section 4 (2) of the British Baluchistan Civil Justice Regulation, 1896, as in force in the Baluchistan Agency Territories the Hon'ble the Agent to the Governor General is pleased to appoint the officer for the time being holding the office of the Judicial Officer, Quetta Cantonment, to be the presiding officer of the Court of the Extra Assistant Commissioner, Quetta Cantonment.

[*Gazette of India*, 1929, Pt. II-A, p. 150.]

*No. 587-J., dated the 23rd May, 1929.*—In exercise of the powers conferred by sub-section (2) of Section 4 of the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896), as in force in the Baluchistan Agency Territories, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

the Courts specified opposite those offices in the second column of that table respectively:—

Offices.	Courts.
1. The office of the Extra Assistant Commissioner of Nushki.	The Court of the Extra Assistant Commissioner of Nushki.
2. The Office of Tahsildar of Nushki .	The Court of the Tahsildar of Nushki.
3. The Office of Tahsildar of Dalbandin	The Court of the Tahsildar of Dalbandin.
4. The Office of Naib Tahsildar of Nushki.	The Court of the Naib Tahsildar of Nushki.

[*Gazette of India*, 1929, Pt. II-A, p. 234.]

No. 4832, dated the 16th October, 1903.—In exercise of the powers conferred by section 4, sub-section (2) of the Baluchistan Agency Civil Justice Law, 1896,<sup>1</sup> the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the courts specified opposite those offices in the second column of that table respectively:—

Offices.	Courts.
1. The office of Treasury Officer of Quetta.	The Court of the Senior Munsiff of Quetta.
2. The office of Tahsildar of Quetta .	The Court of the Tahsildar of Quetta.
3. The office of Munsiff of Quetta .	The Court of the Munsiff of Quetta.
4. The office of Tahsildar of Bori .	The Court of the Tahsildar of Bori.
5. The office of Tahsildar of Barkhan .	The Court of the Tahsildar of Barkhan.
<sup>2</sup> 5-A. The office of the Settlement Tahsildar of Barkhan.	The Court of the Second Tahsildar of Barkhan.
6. The office of Tahsildar of Musakhel	The Court of the Tahsildar of Musakhel.
7. The office of Tahsildar of Fort Sandeman.	The Court of the Tahsildar of Fort Sandeman.
8. The office of Tahsildar of Hindu-hagh.	The Court of the Tahsildar of Killa Sai-bagh.
9. The office of Tahsildar of Killa Sai-fulla.	The Court of the Tahsildar of Killa Sai-fulla.
<sup>3</sup> 10. The office of Tahsildar of Nasirabad.	The Court of the Tahsildar of Nasirabad.
11. The office of Naib-Tahsildar of Kohlu.	The Court of the Munsiff of Kohlu.
12. The office of Naib-Tahsildar of Sinjawi.	The Court of the Munsiff of Sinjawi.
13. The office of Munsiff of Sibi .	The Court of the Munsiff in the Railway Tahsil.
14. The office of Naib-Tahsildar of Quetta.	The Court of the Naib-Tahsildar of Quetta.

<sup>1</sup> See section 3 of the British Baluchistan Civil Justice Regulation, 1896, as now in force in the Agency Territories.

<sup>2</sup> Added by notification No. 2444-R., dated the 4th May, 1911. *Gazette of India*, 1911, Pt. II, p. 742.

<sup>3</sup> Original entry No. 10 was deleted, and the entries were re-numbered, by notification No. 227-P., dated 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 133.

Offices.	Courts.
15. The office of Naib-Tahsildar of Bori	The Court of the Naib-Tahsildar of Bori.
<sup>1</sup> 15-A. The office of the 2nd Naib-Tahsildar of Bori.	The Court of the 2nd Naib-Tahsildar of Bori.
16. The office of Naib-Tahsildar of Barkhan.	The Court of the Naib-Tahsildar of Barkhan.
17. The office of Naib-Tahsildar of Musakhel.	The Court of the Naib-Tahsildar of Musakhel.
18. The office of First Naib-Tahsildar of Fort Sandeman.	The Court of the First Naib-Tahsildar of Fort Sandeman.
19. The office of Second Naib-Tahsildar of Fort Sandeman.	[The Court of the Second Naib-Tahsildar of Fort Sandeman.] <sup>2</sup>
<sup>1</sup> 19-A. The office of [the third] <sup>3</sup> Naib-Tahsildar of [Fort Sandeman] <sup>3</sup>	The Court of the [third] <sup>3</sup> Naib-Tahsildar of [Fort Sandeman.] <sup>3</sup>
20. The office of Naib-Tahsildar of Hindubagh.	The Court of the Naib-Tahsildar of Hindubagh.
21. The office of Naib-Tahsildar of Killa Saifulla.	The Court of the Naib-Tahsildar of Killa Saifulla.
22. The office of Naib-Tahsildar of Nasirabad.	The Court of the Naib-Tahsildar of Nasirabad.
<sup>4</sup> [23. The Office of Naib Tahsildar in the Bolan, Nushki and Kachhi Railway.	The Court of the Naib Tahsildar in the Bolan, Nushki and Kachhi Railway.]

[*Gazette of India*, 1903, Pt. II, p. 1157.]

*The administrative districts to be the local limits of the jurisdiction of Courts of the second grade.*

No. 4825, dated the 16th October, 1903.—Printed *supra*, page 58.

*Constitution of Civil Courts of the third, fourth and fifth grades with the limits of their jurisdiction.*

No. 4831, dated the 16th October, 1903.—In exercise of the powers conferred by section 5 of the Baluchistan Agency Civil Justice Law, 1896, and with the previous sanction of the Governor General in Council, the Agent to the Governor General is pleased to constitute the under-

<sup>1</sup> Added by notification No. 3392, dated the 23rd July, 1906. *Gazette of India*, 1906, Pt. II, p. 959.

<sup>2</sup> Added by notification No. 140-S., dated the 3rd January, 1908. *Gazette of India*, 1908, Pt. II, p. 211.

<sup>3</sup> Substituted and inserted by notification No. 127-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 565.

<sup>4</sup> The entries were re-numbered, and No. 23 added, by notification No. 227-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 133.

mentioned Courts, and to fix the local limits of the jurisdiction of each such Court as follows:—

Name of Court.	Local limits of jurisdiction.
I.— <sup>1</sup> [COURTS OF THE ASSISTANT POLITICAL AGENTS, AND EXTRA ASSISTANT COMMISSIONERS.]	
1. The Court of the Assistant Political Agent of Quetta.	The Quetta District.
2. The Court of the Extra Assistant Commissioner of Quetta.	The Quetta District.
3. The Court of the Assistant Political Agent of Zhob.	The Zhob District.
4. The Court of the Extra Assistant Commissioner, Upper Zhob.	The Zhob District.
5. The Court of the Extra Assistant Commissioner, Lower Zhob.	The Zhob District.
<sup>2</sup> [6. The Court of the Assistant Political Agent, Bolan, Nushki and Kachhi Railway.]	The Bolan, Nushki and Kachhi Railway District.]
<sup>3</sup> [7. The Court of the Extra Assistant Commissioner, Bolan, Nushki and Kachhi Railway.]	The Bolan, Nushki and Kachhi Railway District.]
<sup>4</sup> [8. The Court of the Assistant Political Agent, Kohlu and Nasirabad.]	The Kohlu and Nasirabad District.
9. The Court of the Extra Assistant Commissioner, Kohlu and Railway.	The Kohlu and Railway Sub-Division.
<sup>5</sup> [10. The Court of the Extra Assistant Commissioner, Nasirabad.]	The Nasirabad Sub-Division.
11. The Court of the Assistant Political Agent of Loralai.	The Loralai District.
12. The Court of the Extra Assistant Commissioner, Musakhel and Barkhan.	The Musakhel and Barkhan Tahsil.
13. The Court of the Extra Assistant Commissioner, Sinjawi.	The Sinjawi Tahsil.

## II.—COURTS OF THE TAHSILDARS AND MUNSIFFS.

14. The Court of the Senior Munsiff of Quetta.	The Quetta Tahsil.
15. The Court of the Tahsildar of Quetta.	The Quetta Tahsil.
16. The Court of the Munsiff of Quetta	The Quetta Tahsil.
17. The Court of the Tahsildar of Bori	The Bori Tahsil.
18. The Court of the Tahsildar of Barkhan.	The Barkhan Tahsil.
<sup>6</sup> [18-A. The Court of Second Tahsildar of Barkhan.]	The Barkhan Tahsil.]
19. The Court of the Tahsildar of Fort Sandeman.	The Fort Sandeman Tahsil.

<sup>1</sup> Substituted by notification No. 683-J., dated the 30th October, 1913. *Gazette of India*, 1913, Pt. II, p. 2314.

<sup>2</sup> Substituted by notification No. 226-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 133.

<sup>3</sup> Added by notification No. 2443-R., dated the 4th May, 1911. *Gazette of India*, 1911, Pt. II, p. 742.

Name of Court.	Local limits of jurisdiction.
20. The Court of the Tahsildar of Musakhel.	The Musakhel Tahsil.
21. The Court of the Tahsildar of Hindubagh.	The Hindubagh Tahsil.
22. The Court of the Tahsildar of Killa Saifulla.	The Killa Saifulla Tahsil.
23. The Court of the Tahsildar of Nasirabad.	The Nasirabad Tahsil.
24. The Court of the Munsiff of Kohlu	The Kohlu Tahsil.
25. The Court of the Munsiff of Sinjawi	The Sinjawi Tahsil.
26. The Court of the Munsiff of Railway Tahsil.	The Kohlu Railway Tahsil.]

### III.—COURTS OF THE NAIB TAHSILDARS.

27. The Court of the Naib-Tahsildar of Quetta.	The Quetta Tahsil.
28. The Court of the Naib-Tahsildar of Bori.	The Bori Tahsil.
28-A. The Court of the 2nd Naib-Tahsildar of Bori.	The Bori Tahsil.
29. The Court of the 1st Naib-Tahsildar of Fort Sandeman.	The Fort Sandeman Tahsil.
30. The Court of the 2nd Naib-Tahsildar of Fort Sandeman.	[The Fort Sandeman Tahsil.]*
30. The Court of the 2nd Naib-Tahsildar Tahsildar of [Fort Sandeman.] <sup>1</sup>	The [Fort Sandeman Tahsil.] <sup>1</sup>
31. The Court of the Naib-Tahsildar of Musakhel.	Musakhel Tahsil.
32. The Court of the Naib-Tahsildar of Hindubagh.	The Hindubagh Tahsil.
33. The Court of the Naib-Tahsildar of Killa Saifulla.	The Killa Saifulla Tahsil.
34. The Court of the Naib-Tahsildar of Barkhan.	The Barkhan Tahsil.
35. The Court of the Naib-Tahsildar of Nasirabad.	The Nasirabad Tahsil.
36. The Court of the Naib-Tahsildar of Bolan, Nushki and Kachhi Railway.	The Bolan, Nushki and Kachhi Railway Tahsils.]

\* \* \* \*

[*Gazette of India*, 1903, Pt. II, p. 1156.]

<sup>1</sup> Original entry No. 23 was omitted and the following entries were re-numbered by notification No. 226-P., dated the 17th February, 1927. *Gazette of India*, 1927 Pt. II-A., p. 133.

<sup>2</sup> Added by ditto.

<sup>3</sup> Added by notification No. 3391, dated the 23rd July, 1906, as amended by No. 3769, dated the 3rd September, 1906. *Gazette of India*, 1906, Pt. II, pp. 959 and 1215.

<sup>4</sup> Added by notification No. 139-S., dated the 30th January, 1908. *Gazette of India*, 1908, Pt. II, p. 211.

<sup>5</sup> Substituted and inserted by notification No. 126-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 564.

*No. 151-J., dated the 15th April, 1924.*—In exercise of the powers conferred by Section 5 of the British Baluchistan Civil Justice Regulation, 1896, as amended and as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to constitute the undermentioned Courts and to fix the local limits of the jurisdiction of each such court as follows:—

Name of Court.	Local limits of jurisdiction.
1. The Court of the Extra Assistant Commissioner, Quetta-Pishin.	The Quetta District.
2. The Court of the Extra Assistant Commissioner, Quetta Sub-Division.	The Quetta District.

2. This office Notifications Nos. 444-J. and 86-J., dated the 18th August, 1919, and 29th January, 1921, respectively, are hereby cancelled

[*Gazette of India*, 1924, Pt. II-A., p. 145.]

*No. 1158-P., dated the 2nd April, 1929.*—In exercise of the powers conferred by section 5 of the British Baluchistan Civil Justice Regulation, 1896, as in force in the Baluchistan Agency Territories the Hon'ble the Agent to the Governor General is pleased to constitute the undermentioned Court and to fix the local limits of its jurisdiction as follows:—

Name of Court.	Local limits of jurisdiction.
The Court of the Extra Assistant Commissioner, Quetta Cantonment.	The Quetta Cantonment.

[*Gazette of India*, 1929, Pt. II-A., p. 150.]

*No. 588-J., dated the 23rd May, 1929.*—In exercise of the powers conferred by section 5 of the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896), as in force in the Baluchistan Agency Territories, the Agent to the Governor General is pleased to constitute the undermentioned courts and to fix the local limits of the jurisdiction of each court as follows:—

Name of Court.	Local limits of jurisdiction.
1. The Court of the Extra Assistant Commissioner, Nushki.	The Chagai District.
2. The Court of the Tahsildar of Nushki.	The Nushki Tahsil.
3. The Court of the Tahsildar of Dalbandin.	The Dalbandin Tahsil.
4. The Court of the Naib-Tahsildar of Nushki.	The Nushki Tahsil.

[*Gazette of India*, 1929, Pt. II-A., p. 234.]

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

*No. 405-J., dated the 23rd April, 1929.*—In exercise of the powers conferred by section 5 of the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896), as amended and as in force in the Baluchistan Agency Territories, the Hon'ble the Agent to the Governor General is pleased to constitute the undermentioned Courts and to fix their local limits of jurisdiction as follows:—

Names of Courts.	Local limits of jurisdiction.
1. The Court of the first Honorary Munsiff of Quetta.	The Quetta Municipal and Cantonment limits.
2. The Court of the second Honorary Munsiff of Quetta.	The Quetta Municipal and Cantonment limits.
3. The Court of the first Bench of the Honorary Munsiffs of Quetta.	The Quetta Municipal limits.
4. The Court of the second Bench of the Honorary Munsiffs of Quetta.	The Quetta Municipal limits.
5. The Court of the third Honorary Munsiff of Quetta.	The Quetta Municipal and Cantonment limits.
6. The Court of the fourth Honorary Munsiff of Quetta.	The Quetta Municipal and Cantonment limits.
7. The Court of the fifth Honorary Munsiff of Quetta.	The Quetta Municipal limits.

2. This Notification shall have effect from the 15th May 1929, from which date this office Notification No. 278-J., dated the 6th May 1927, is cancelled.

[*Gazette of India*, 1929, Pt. II-A., p. 187.]

*Assistant Political Agent, Quetta, invested with all the powers of a Political Agent.*

*No. 550-S., dated the 26th February, 1910.*—In exercise of the powers conferred upon him by section 93, sub-section (1) of the Baluchistan Agency Civil Justice Law, 1896, the Hon'ble the Agent to the Governor General is pleased to invest the Assistant Political Agent of Quetta for the time being with all the powers of a Political Agent and to declare that the said powers shall be exercised within the local area of the Quetta District and with respect to civil cases generally, subject to such distribution of work as may from time to time be ordered in writing by the Judicial Commissioner in Baluchistan under sub-section (3) of section 93 of the said [Law].<sup>1</sup>

[*Gazette of India*, 1910, Pt. II, p. 321.]

<sup>1</sup> Substituted by notification No. 621, dated the 14th March, 1910. *Gazette of India*, 1910, Pt. II, p. 424.

*Extra Assistant Commissioner, Quetta-Pishin, invested with all the powers of a Political Agent.*

*No. 163-J., dated the 15th April, 1924.*—In exercise of the powers conferred by section 93 (1) of the British Baluchistan Civil Justice Regulation, 1896, as in force in the Baluchistan Agency Territories by virtue of the Foreign Department Notification <sup>1</sup> No. 1603-I. B., dated the 28th July 1911, the Hon'ble the Agent to the Governor General is pleased to invest the Extra Assistant Commissioner, Quetta-Pishin, for the time being with all the powers of a Political Agent and to declare that the said powers shall be exercised within the local area of the Quetta District and in respect of Civil cases generally, subject to such distribution of work as may from time to time be ordered in writing by the Judicial Commissioner in Baluchistan under section 93 (3) of the said Regulation.

[*Not published.*]

*Officers invested with powers of a Political Agent to hear appeals from Subordinate Courts.*

*No. 4833, dated the 16th October, 1903.*—In exercise of the powers conferred by section 93, sub-section (1), of the Baluchistan Agency Civil Justice Law, 1896, the Agent to the Governor General in Baluchistan is pleased to invest the officers specified in the first column of the annexed table with the powers conferred on Political Agents by section 67, sub-section (2), of the said Law as far as relates to the hearing of appeals from the decrees or orders of Tahsildars, Munsiffs and Naib Tahsildars exercising jurisdiction in original suits within the local areas specified opposite those officers respectively in the second column of the same table:—

Appointments.	Local area.
1. The Assistant Political Agent, Loralai.	The Loralai District.
2. The Extra Assistant Commissioner, Musakhel and Barkhan.	The Musakhel and Barkhan Tahsils.
3. The Extra Assistant Commissioner, Sinjawi.	The Sinjawi Tahsil.
4. The Assistant Political Agent of Quetta.	The Quetta District.
5. The Extra Assistant Commissioner, Quetta.	The Quetta District.
[6. The Assistant Political Agent, Kohlu and Nasirabad District.]	
7. The Extra Assistant Commissioner, Kohlu and Railway Sub-Division.	The Kohlu and Railway Tahsils.

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>2</sup> Substituted by notification No. 228-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 133.



Appointments.	Local area.
[8. The Extra Assistant Commissioner, Nasirabad Sub-Division.	The Nasirabad Tahsil.]
9. The Assistant Political Agent of Zhob.	The Zhob District.
10. The Extra Assistant Commissioner of Upper Zhob.	The Upper Zhob Sub-Division.
11. The Extra Assistant Commissioner of Lower Zhob.	The Lower Zhob Sub-Division.
[12. The Assistant Political Agent, Bolan, Nushki and Kachhi Railway District.	The Bolan, Nushki and Kachhi Railway District.]
[13. The Extra Assistant Commissioner, Bolan, Nushki and Kachhi Railway District.	The Bolan, Nushki and Kachhi Railway District.]

\* [*Gazette of India*, 1903, Pt. II, p. 1158.] \*

No. 589-J., dated the 23rd May, 1929.—In exercise of the powers conferred by sub-section (1) of section 93 of the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896), as in force in the Baluchistan Agency Territories, the Agent to the Governor General is pleased to invest the Extra Assistant Commissioner, Nushki, for the time being with the powers conferred on a Political Agent by sub-section (2) of section 67 of the said Regulation as far as relates to the hearing of appeals from the decrees or orders of Tahsildars and Naib Tahsildars exercising jurisdiction in original suits within the Chagai District.

[*Gazette of India*, 1929, Pt. II-A., p. 234.]

*Assistant Political Agent, Quetta-Pishin, invested with revisional powers.*

No. 98-J., dated the 27th February, 1920.—Under section 93 of the British Baluchistan Civil Justice Regulation, 1896, the Judicial Commissioner is pleased to confer on the Assistant Political Agent and Assistant Commissioner, Quetta-Pishin, revisional powers in Civil suits (other than small causes) in which the value of the subject matter does not exceed Rs. 100.

[*Not published.*]

*Appointment of Small Cause Court Judges.*

No. 1159-P., dated the 2nd April, 1929.—In exercise of the powers conferred by section 94 (1) of the British Baluchistan Civil Justice Regulation, 1896, as in force in the Baluchistan Agency Territories the Hon'ble the Agent to the Governor General is pleased to confer upon

<sup>1</sup> Substituted by notification No. 228-P., dated the 17th February 1927. *Gazette of India*, 1927, Pt. II-A., p. 133.

the Judicial Officer, Quetta Cantonment, being an Extra Assistant Commissioner, the jurisdiction of a judge of a Court of Small Causes in respect of suits not exceeding Rs. 500 (Rupees five hundred) in value to be exercised by him within the local limits of the Quetta Cantonment.

[*Gazette of India*, 1929, Pt. II-A., p. 150.]

*No. 164-J., dated the 15th April, 1924.*—In exercise of the powers conferred upon him by section 94 (1) of the British Baluchistan Civil Justice Regulation, 1896, as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to confer upon the officer for the time being holding the appointment of the Extra Assistant Commissioner, Quetta-Pishin, the jurisdiction of a Judge of a Court of Small Causes in respect of suits cognizable by such Court not exceeding Rs. 500 in value to be exercised by him within the local limits of the Quetta District.

[*Not published.*]

*No. 513-J., dated the 24th July, 1924.*—In exercise of the powers conferred by Section 94 (1) of the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896) as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to confer upon the officer for the time being holding the appointment of Munsiff of Quetta, the jurisdiction of a Judge of a Court of Small Causes in respect of suits cognizable by such Court not exceeding Rs. 100 (one hundred) in value, to be exercised by him within the Local limits of the Quetta Tahsil.

[*Not published.*]

*Extra Assistant Commissioners, Quetta, Upper Zhob, Lower Zhob and Barkhan invested with powers of District Court for purposes of the Provincial Insolvency Act, 1920.*

*No. 2041, dated the 13th May, 1910.*—Printed *infra*, p. 131.

*No. 471-J., dated the 23rd August, 1915.*—Printed *infra*, p. 131.

*No. 219Z-J., dated the 11th July, 1924.*—Printed *infra*, p. 131.

*Extra Assistant Commissioner, Quetta, and Assistant Political Agent, Kohlu, Nasirabad and Railway District invested with powers of District Court for purposes of the Succession Certificate Act,<sup>2</sup> within their districts.*

*No. 203, dated the 7th January, 1902.*

*No. 1134-Z., dated the 7th August, 1908.* } —Printed *infra*, p. 161.

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 2.

<sup>2</sup> Repealed, except Section 13 by Act XXXIX of 1925.

*Courts in British India empowered to send<sup>1</sup> decrees for execution by Civil Courts in Agency Territories.*

No. 786-I. B., dated the 9th April, 1913.—Printed in Appendix XXI-A.

*Service by Civil Courts in Agency Territories of summonses—(a) of Civil or Revenue Courts in British India; (b) of other Courts established or continued by the Governor General in Council; (c) of certain Courts in Indian States.*

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

*Execution by Civil Courts in the Agency Territories of decrees<sup>2</sup>—of certain Courts of Mysore States in the political control of the Bombay Government and Baroda.*

No. 322-I., dated the 15th May 1929.—Printed in Appendix XXI-A.

*Service of summonses of Civil Courts in the Agency Territories<sup>2</sup>—(a) by other courts established or continued by the Governor General in Council.*

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

(b) by Civil Courts of the Baroda and Mysore States.

No. 398-I. B., dated the 25th February, 1910. } —Printed in Ap-  
No. 2622-I. B., dated the 24th December, 1912. } pendix XXI-C.

*Execution of decrees of Civil Courts in the Agency Territories<sup>2</sup>—(a) by other courts established or continued by the Governor General in Council.*

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

(b) by Civil Courts of the Baroda and Mysore States.

No. 2623-I. B., dated the 24th December, 1912.—Printed in Appendix XXI-C.

<sup>1</sup> As regards summonses see Rule 26 (a) of Order V of the First Schedule of the Code of Civil Procedure, 1908, read with clause (1) of notification No. 322-I., dated the 15th May, 1929. Printed in Appendix XXI-A.

<sup>2</sup> Execution by these Courts of decrees of Courts in British India and of other Courts established or continued by the Governor General in Council is provided for by the Code of Civil Procedure, as in force in British Baluchistan and the Agency Territories. Conversely Courts in British India serve the summonses and execute the decrees of these Courts under sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908).





## VI.—Orders under Acts locally applied.

By the terms of the notification<sup>1</sup> of the Government of India, No. 347-F., dated the 23rd May, 1929, "all notifications, rules, orders or bye-laws made or which may hereafter be made" under the enactments (except the Indian Naturalisation Act, 1926) now or hereafter in force in British Baluchistan are deemed to be in force in the Baluchistan Agency Territories "unless otherwise declared by the Agent to the Governor General with the previous sanction of the Governor General in Council."

The orders<sup>2</sup> collected in this part are those made expressly and solely for the Agency Territories.

### POLICE ACT, 1861.

*Extension of the provisions of section 34 "so far as they may be suitable" to—*

—"The Civil town of Quetta."

No. 3835, dated the 4th July, 1892.—Not re-printed.

[*Gazette of India*, Pt. II, 1892, p. 467.]

—"Fort Sandeman, Loralai, Bellpat and Nuttal.

No. 11-J., dated the 6th January, 1914.—Not re-printed.

[*Gazette of India*, Pt. II, 1914, p. 124.]

—"Headquarters of the Sub-Tahsil at Sinjawai, including the bazar at Smalan."

No. 2594, dated the 12th June, 1907.—Not re-printed.

[*Gazette of India*, Pt. II, 1907, p. 951.]

—"Headquarters of the Nasirabad and Railway Sub-Division including the bazar at Jhatpat."

No. 91, dated the 8th January, 1910.—Not re-printed.

[*Gazette of India*, Pt. II, 1910, p. 96.]

—"All the Bazars in the Bolan Pass and Nushki Railway District."

No. 5552, dated the 8th December, 1910.—Not re-printed.

[*Gazette of India*, Pt. II, 1910, p. 1857.]

<sup>1</sup> Printed, *supra*, p. 9.

<sup>2</sup> Orders made expressly for British Baluchistan or for British Baluchistan and the Agency Territories are printed in "Local Rules and Orders made under enactments applying to Baluchistan".

—“*The Bazars at Hindubagh and Killa Saifulla.*”

No. 1209, dated the 9th May, 1913.—Not re-printed.

[*Gazette of India*, Pt. II, 1913, p. 857.]

—“*The Bazar at Nushki and the Bazar at Dalbandin.*”

No. 578-J., dated the 23rd May, 1929.—Not re-printed.

[*Gazette of India*, Pt. II-A, 1929, p. 233.]

#### PARSI MARRIAGE AND DIVORCE ACT, 1865.

<sup>1</sup> *Appointment of Registrar for the Quetta District.*

No. 4171, dated the 15th June, 1898.—In exercise of the powers conferred by section 7 of Act XV of 1865 (The Parsi Marriage and Divorce Act) as applied to the Agency Territories by Government of India in the Foreign Department Notification No. 572-E. A., dated the 23rd March, 1898, the Agent to the Governor General is pleased to appoint the person holding the office of the Political Agent of Quetta for the time being, to be Registrar of Marriages under the aforesaid Act for the Quetta District.

[*Gazette of India*, 1898, Pt. II, p. 692.]

#### PUBLIC GAMBLING ACT, 1867.

*Extension of the Act to places named.*

No. 7364, dated the 23rd November, 1894.—In exercise of the power conferred by section 2 of Act III of 1867 (The Gambling Act) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to extend the whole of the provisions of the said Act to the following local areas in the districts of Quetta, Zhob, and the Bolan Pass:—

##### *Quetta District.*

- (1) The civil and military stations and the native town of Quetta;
- (2) The Kansai and Siriab villages;
- (3) The railway stations and bazars (if any) at—
  - (a) Baleli, and
  - (b) Kuchlak.

##### *Zhob District.*

- (4) The civil and military stations and native towns at—
  - (a) Fort Sandeman, and
  - (b) Loralai.

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<sup>1</sup> The same officer was also so appointed by the Judicial Commissioner by Notification No. 300-J., dated the 13th May, 1898. *Gazette of India*, 1898, Pt. II, p. 543.

*The Bolan Pass District.*

(5) The bazars at Desht, Pirpunja, New Mach, Bibinani, Kirta, and Rindli, and

(6) The railway stations and bazars at Kolepur, Dozan, Hirok, Mach, Ab-i-gum, Chiderzai, Pishi, and Nari bank.

[*Gazette of India*, Pt. II, 1894, p. 1154.]

*Extension of the Act to “ the railway stations and bazars at Mushkaf and Panir in the Bolan Pass District.”*

No. 3262, dated the 11th May, 1898.—Not re-printed.

[*Gazette of India*, Pt. II, 1898, p. 586.]

*Extension of the Act to “ the Head-quarters of the Tahsils and Sub-Tahsils—*

(1) *Sinjawī* (including the bazar at Smalan), (2) *Barkhan*, (3) *Kohlu*, in the *Sinjawian Railway District.*”

No. 4280, dated the 16th May, 1902.—Not re-printed.

[*Gazette of India*, Pt. II, 1902, p. 585.]

*Extension of the Act to “ the railway stations and bazars (if any) at—*

(1) *Nishpa Tunnel*, (2) *Sheikh Wasil*, (3) *Godi Sheikh Wasil* in the *Bolan Pass and Nushki Railway District.*”

No. 260, dated the 6th January, 1904.—Not re-printed.

[*Gazette of India*, Pt. II, 1904, p. 100.]

*Extension of the Act to “ the railway stations and bazars (if any) at—*

(1) *Mastung Road*, (2) *Kanak*, (3) *Kirdagap*, in the *Bolan Pass and Nushki Railway District.*”

No. 5333, dated the 2nd December, 1907.—Not re-printed.

[*Gazette of India*, Pt. II, 1907, p. 1779.]

*Extension of the Act to “ the railway stations and bazars (if any) at—*

(1) *Mithri*, (2) *Lindsay*, (3) *Bellpat*, (4) *Nuttall*, (5) *Temple Dera*, (6) *Jhatpat.*”

No. 7363, dated the 23rd November, 1894.—Not re-printed.<sup>1</sup>

[*Gazette of India*, 1894, Pt. II, p. 1155.]

<sup>1</sup> Printed at page 8 of “ Local Rules and Orders made under Enactments applying to British Baluchistan ”.



*Extension of the Act to—*

(1) *The Bazar at Nushki*, (2) *The Bazar at Dalbandin*, (3) *All the railway stations within the limits of the Chagai District.*

No. 579-J., dated the 23rd May, 1929.—Not re-printed.

[*Gazette of India*, 1929, Pt. II-A., p. 233.]

CATTLE TRESPASS ACT, 1871.

*Quetta and Loralai Cantonment Authorities invested with certain powers.*

No. 843, dated the 23rd March, 1910.—In exercise of the powers conferred by section 31 of the Cattle-trespass Act, 1871 (I of 1871), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to transfer, with effect from the 1st April, 1910, to the Cantonment Authority, Quetta, in respect of the cattle pound at Quetta Cantonment, in the Quetta District, the functions vested in the Magistrate of the District by sections 5, 6, 12, 14 and 17 and in the Local Government by section 18 of the Cattle-trespass Act, 1871 (I of 1871).

[*Gazette of India*, 1910, Pt. II, p. 478.]

No. 4593-R., dated the 30th November, 1926.—In exercise of the powers conferred by section 31 of the Cattle-trespass Act, 1871 (I of 1871), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to transfer with effect from 1st December, 1926, to the Cantonment Authority, in respect of the cattle pound at Loralai Cantonment, the functions vested in the Magistrate of the District by sections 5, 6, 12, 14 and 17 and in the Local Government by section 18 of the Cattle-trespass Act, 1871 (I of 1871).

[*Gazette of India*, 1926, Pt. II-A, p. 462.]

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

*Appointment of Marriage Registrars.*

No. 4834, dated the 16th October, 1903.—In exercise of the powers conferred by section 7 of the Indian Christian Marriage Act, 1872 (XV of 1872), as applied to the territories administered by the Agent to the

Governor General in Baluchistan as such Agent, the said Agent is pleased to appoint—

- <sup>1</sup>(1) \* \* \* \* \*
- (2) the person holding the office of Political Agent, Zhob, for the time being, being a Christian, to be the Marriage Registrar for the Zhob District;
- <sup>2</sup>[(3) the person holding the office of Political Agent, Bolan, Nushki and Kachhi Railway District for the time being, being a Christian, to be the Marriage Registrar for the Bolan, Nushki and Kachhi Railway District;
- (4) the person holding the office of Political Agent, Kohlu and Nasirabad District for the time being, being a Christian, to be the Marriage Registrar for the Kohlu and Nasirabad District.]
- (5) the person holding the office of Political Agent, Loralai, for the time being, being a Christian, to be the Marriage Registrar for the Loralai District.
- <sup>3</sup>[(6) the person holding the office of Political Agent, Chagai, for the time being, being a Christian, to be the Marriage Registrar for the Chagai District.]
- \* \* \* \* \*

[*Gazette of India*, 1903, Pt. II, p. 1158.]

No. 4292-R., dated the 30th October, 1919.—In exercise of the powers conferred by section 7 of the Indian Christian Marriage Act, 1872 (XV of 1872), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>4</sup> No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to appoint the Political Agent, Quetta, being a Christian and the senior Christian Extra Assistant Commissioner at Quetta, under the control of the Political Agent, Quetta, to be the Senior Marriage Registrar and Marriage Registrar respectively for the District of Quetta.

2. Entry No. (1) of this office Notification No. 4834, dated the 16th October, 1903, is hereby cancelled.

[*Gazette of India*, 1919, Pt. II, p. 1894.]

<sup>1</sup> Cancelled by Notification No. 4292-R., dated the 30th October, 1919. Printed below.

<sup>2</sup> Substituted by Notification No. 229-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 134.

<sup>3</sup> Inserted by Notification No. 580-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A, p. 233.

<sup>4</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

OPIMUM ACT, 1878.

Rules.

No. 4716, dated the 10th September, 1908.—In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878 (I of 1878), as applied to the territories administered by the Honourable the Agent to the Governor General in Baluchistan as such Agent, and with the previous sanction of the Governor General in Council, the Honourable the Agent to the Governor General in Baluchistan is pleased to make the following rules

\* \* \* \* \*

<sup>1</sup> SUPPLY, CUSTODY AND ISSUE OF PURE OPIUM.

24. All pure opium required for consumption in the Baluchistan Agency territories except such as may be imported by a medical practitioner or druggist under rule 12 (3) shall be Bengal Excise opium and shall be obtained on indent from the Government Opium Agency at Ghazipur in the United Provinces of Agra and Oudh. The pure opium so obtained shall be deposited in the Government Treasury at Quetta.

25. (1) Immediately on arrival of a supply of pure opium<sup>2</sup> at the Treasury, the Treasury Officer shall examine each chest and certify on the invoice to the condition of the outer coverings.

(2) Unless the coverings of the chest appear to be intact, and it has no appearance of having been tampered with, the Treasury Officer shall at once cause it to be opened and examined.

If any deficiency or substitution of adulterated cakes is discovered, inquiry shall immediately be made, and the fact shall at the same time be reported to the Opium Agent, Ghazipur, through the Political Agent, Quetta. If the coverings are passed as intact, a receipt shall be sent without delay to the Opium Agent.

(3) Opium chests received from the Government Opium Agency shall be placed in store under double locks, the amount being entered in a register in the form which the Revenue Commissioner may prescribe which shall show receipts and issues to and from the store under double locks. Opium chests shall, unless opened under clause (2), remain unopened, with the lead seals and wire fastenings unbroken, until the contents are required for issue.

<sup>1</sup> Inserted by Notification No. 1853-Z., dated the 19th August, 1909. *Gazette of India*, 1909, Pt. II, p. 1378.

<sup>2</sup> The price at which pure opium will be issued from the Quetta Treasury to licensed vendors has been fixed at the rate of Rs. 35 per seer of 80 tolas with effect from the 1st April, 1918, and until further notice. See Notification No. 443-R., dated the 2nd February, 1918. *Gazette of India*, 1918, Pt. II, p. 211.

(4) When a chest is opened at the Treasury, the seal shall be broken in the presence of the Treasury Officer. The date of opening the chest shall be noted in the register referred to in clause (3).

(5) Immediate report shall be made by the Treasury Officer to the Opium Agent through the Political Agent, Quetta, of any defect or deficiency in the contents of the chest, and any opium found to be unfit for use shall be returned without delay to the Opium Agent.

(6) Pure opium shall be issued by the Treasury Officer from double locks in the order of its receipt. No portion of the contents of a fresh chest shall be issued until the whole contents of the chest last opened have been disposed of.

(7) The Political Agent shall at least once a month verify the stock of pure opium held in the Treasury, and shall note having done so in the register referred to in clause (3).

\* \* \* \* \*

[*Gazette of India*, 1908, Pt. II, p. 1446.]

SEA CUSTOMS ACT, 1878.

*Prohibition of the bringing of aircraft or parts of aircraft by land into the Agency Territories.*

No. 444-F., dated the 22nd September, 1926.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as in force in British India and as locally applied, the Governor General in Council is pleased to prohibit the bringing of aircraft or parts of aircraft by land into any of the areas specified in the first column of the subjoined table save under a license granted by the authority specified in the corresponding entry in the second column thereof:—

TABLE.

Area.	Authority.
(1) The administered Districts and Political Agencies of the North-West Frontier Province.	The Chief Commissioner and Agent to the Governor General, North-West Frontier Province.
(2) British Baluchistan and the Baluchistan Agency Territories.	The Chief Commissioner, British Baluchistan, and Agent to the Governor General, Baluchistan.

*Explanation.*—For the purposes of this notification the expression “parts of aircraft” shall mean such parts as are indispensable for the operation of the type of aircraft for which they are intended, and for that purpose have been given a special shape or quality which would not be essential for their use for any other purpose.

[*Gazette of India*, 1926, Pt. I, p. 1046.]

INDIAN ARMS ACT, 1878.

*Persons exempted.*

No. 1170-G., dated the 30th July, 1918.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), as in

force in the territories administered by the Agent to the Governor General in Baluchistan as such Agent in virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July, 1911, the Governor General in Council is pleased to direct that the persons and classes of persons specified in the annexed schedule are exempted to the extent therein indicated from the operation of prohibitions and directions contained in the Act.

2. The exemptions specified in the said schedule are conferred subject to the condition that they shall not be deemed to render lawful the import of arms or ammunition through the medium of the Post Office.

### SCHEDULE.

#### PERSONS EXEMPTED.

The persons or classes of persons specified or described in the first column of the subjoined table are exempted in respect of the arms and ammunition described in the second column when carried or possessed (save where otherwise expressly stated) for their own personal use from such prohibitions and directions contained in the Act as are indicated in the 4th column, subject to the provisos and restrictions entered in the 3rd column:—

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(1) All persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 16 of the Indian Arms Act, 1878 (XI of 1878).	All, except— (a) Cannon. (b) War rockets. (c) Rifles of '303 or '450 bore other than rifles of such bores lawfully imported into British India and ammunition which can be fired from the same. (d) Machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall be of such descriptions only and shall not exceed such quantities (if any) as (a) the Government of India, or (b) the Chief Commissioner, with respect to British Baluchistan, may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16 as extended by the Government of India in the Foreign Department Notification No. 1538-W. B., dated the 18th April 1904, to the following areas:—  <i>In the Quetta District.</i> (1) The Municipality and the cantonment of Quetta.  <i>In the Bolan Pass and Nushki Railway District.</i> (2) The Bazaars at— (a) Kolpur. (b) Hirok. (c) Mach. (d) New Mach (e) Abigum. (f) Pishi. (g) Panir. (h) Mushkif. (i) Rindli.

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

BALUCHISTAN AGENCY TERRITORIES.—(VI.—Orders under Acts 89  
locally applied.)

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
	(e) Appliances the object of which is the silencing of fire arms		<i>In the Zhob District.</i>  (3) The civil and military station, town and bazar at Fort Sandeman. (4) The civil station and bazar at Hindubagh. (5) The civil and military station at Killa Saifulla.  <i>In the Loralai District.</i>  (6) The civil and military station at Loralai. (7) The fort and bazar at Sinjawi. (8) The bazar at Smallan. (9) The civil station at Barkhan. (10) The civil and military station and bazar at Musakhel.  <i>In the Kohlu, Nasirabad and Railway District.</i>  (11) The bazars at — (a) Spintangi. (b) Baber Kach (c) Nari. (d) Mithri. (e) Lindsay. (f) Bellpat. (g) Nuttal. (h) Temple Dera. (i) Jatpat. (12) The civil station at Kohlu.  <i>Generally.</i>  (13) All railway lands.
(2) The retainers of His Highness the Khan of Kalat.			Ditto.
(3) The retainers of the Jam of Las Bala.	<i>See page 88.</i>		Ditto.

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Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions	Prohibitions and directions.
			<i>Generally.</i>
(4) The Baluch Brahui and Pathan Sardars, Khans and Jagirdars of Agency territories and British Baluchistan and their retainers, subject to such orders as the Agent to the Governor General may issue regarding the personages to be included in these categories and the number of weapons and retainers in each case.	<i>See</i> page 88.		(13) All railway land.
(5) Such Government servants including Levies* and such other persons as the Agent to the Governor General may from time to time by general or special order direct.	Such arms as the Agent to the Governor-General may direct.	May declare to be reasonable for him to carry or possess.	(13) All railway lands.

\* The Agent to the Governor General has directed that Levies shall be provided with metal badges to facilitate identification by the Police and that a register of all badges so issued shall be maintained (Agent to the Governor General's No. 1972-73, dated the 7th March, 1900).

[*Gazette of India*, 1918, Pt. I, p. 1227.]

VACCINATION ACT, 1880.

*Rules for Quetta Municipality.*

No. 569-C., dated the 21st January, 1897.—The following rules, made by the Quetta Municipal Committee under section 19 of the Vaccination Act, XIII of 1880, for the regulation of vaccine operations within the limits of the Quetta Municipality, have been confirmed by the Agent to the Governor General in Baluchistan, are hereby published for general information:—

*Division of the Municipality into circles for the performance of vaccination.*

I. The area of the Quetta Municipality shall be considered one circle for the purpose of these rules.

*Appointment of a place in the circle as a Public Vaccine Station.*

II. The Municipal Committee will provide a vaccination office in a convenient situation, and a board will be set up at this office, and maintained there, bearing the words "Vaccination station," followed by a notice setting forth for public information the name of the Public Vaccinator, and the hours of his daily attendance at the station on vaccination duty, and also a notice notifying that the Public Vaccinator will, on due request made, attend for the vaccination of children at their homes in the circle, and a notice that no charge will be made for vaccination, whether performed at the station or at a child's home.

III. The Civil Surgeon of Quetta shall, *ex-officio*, be Superintendent of Vaccination within the limits of the Quetta Municipality.

*The authority with which the appointment, suspension and dismissal of the Public Vaccinator shall rest.*

IV. The Public Vaccinator shall be appointed by the Municipal Committee, on the nomination of the Superintendent, and may, for recorded misconduct, be suspended or dismissed from office by the Municipal Committee on the recommendation of the Superintendent.

*The time of attendance of the Public Vaccinator at the vaccine station, the vaccination season and the Public Vaccinator's place of residence.*

V. The hours of daily attendance of the Public Vaccinator at the vaccine station shall be fixed by the Superintendent.

VI. The Public Vaccinator shall be a permanent resident of the circle and shall be absent therefrom only for such periods of leave as may be granted by the Superintendent.

VII. The vaccination season shall continue throughout the entire year.

*The distinguishing mark or badge to be worn.*

VIII. The Public Vaccinator shall at all times, when engaged in the duties of his office, wear a badge in the form of a brass plate, with the words "Public Vaccinator, Quetta Municipality," engraved on it.

*The facilities to be afforded to people for procuring the vaccination of children at their own houses.*

IX. The Public Vaccinator shall vaccinate children of the circle at their homes at the request of a parent or guardian, or at any other place within the circle by direction of the Superintendent.



The Public Vaccinator may also visit and vaccinate children residing beyond the circle, at the request of a parent or guardian, and with the permission of the Superintendent.

*The grant and form of certificates of successful vaccination, of unfitness for vaccination, or of insusceptibility to vaccination.*

X. Certificates of vaccination shall be in the Form (A) hereto annexed.

XI. Certificates of unfitness for vaccination shall be in the Form (B) hereto annexed.

XII. The Public Vaccinator shall issue to the parent or guardian a certificate of vaccination in Form (A) on account of every child vaccinated on the day of vaccination, and shall complete the certificate on the day of examination, and he shall also issue to the parent or guardian a certificate in Form (B) of unfitness for vaccination, on account of every child found unfit on the day of examination. All cases of reported unfitness for vaccination shall be referred by the Vaccinator to the Superintendent, who shall countersign every certificate issued in Form (B).

Before final delivery to the parent or guardian of any certificate the Public Vaccinator shall complete and sign the entries on its fly-leaf, which shall remain bound in the book of such certificates. The Public Vaccinator shall be provided with books of the above Forms (A) and (B).

*The nature of the lymph to be used, and the supply of a sufficient quantity of such lymph.*

XIII. The lymph ordinarily used by the Public Vaccinator shall be human lymph, supplied to the Public Vaccinator by the Superintendent; but arm-to-arm vaccination shall be sedulously practised. Lymph shall not be taken for any purpose from an unhealthy or weakly child, and more especially not from a child with appearance of skin disease.

In the event of a considerable demand for vaccination with animal lymph arising in the circle, the Superintendent shall either cultivate such lymph or procure a supply from elsewhere.

The necessary appliances shall be supplied to the Public Vaccinator free of charge by the Superintendent.

*Fee to be levied for Vaccination with human or animal lymph.*

XIV. No fee shall be charged for vaccination with human or animal lymph within municipal limits.

For the successful vaccination with human or animal lymph of a child residing beyond the circle limits, when operation and inspection are

performed at the child's home, the Public Vaccinator shall be entitled to a fee of four annas.

*The preparation and keeping of certain Registers.*

XV. The Municipal Committee shall take measures to prepare and keep the following registers in the forms appended to these rules:—

- (1) Register of infants born within the circle on or after the 1st March 1897, with a record of vaccination or reason for non-vaccination, in every Mohalla of the Municipality.
- (2) Register of the names of children who either are now resident within municipal limits, or are brought into them after the 1st March, 1897, and who have not been vaccinated, or have not had small-pox, such children having resided within municipal limits for a month, and being, if boys under the age of 14 years and if girls under the age of 8 years.

XVI. The general register of vaccinations performed in the circle, and forms of monthly returns shall be supplied by the Superintendent.

XVII. On the 1st March and 1st September in each year, the Secretary to the Municipal Committee, shall cause notices to be affixed for public information in every important portion or quarter of the circle in the accompanying Form C, in English, Persian, Pushtoo and Urdu.

The Secretary, Municipal Committee, may at any time direct the public crier to call attention to these notices.

*The preparation of Vaccination Reports and Returns.*

XVIII. A monthly figured statement of results shall be submitted by the Public Vaccinator to the Superintendent in the approved Departmental form. At the same time a copy shall be sent to the Municipal Committee.

The Public Vaccinator shall submit to the Superintendent and to the Municipal Committee a figured statement of results for the year after its termination, together with a concise report upon the working of the Act during the year.

*Miscellaneous.*

XIX. All the fees received by the Public Vaccinator shall be credited to the municipal fund.

XX. If at any time the Superintendent has reason to believe that a parent or guardian has failed to procure the vaccination of a child liable to vaccination under the Act, he shall cause to be delivered to such

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locally applied.)

parent or guardian, or to be attached to his house, a notice in the accompanying Form D.

<sup>1</sup>[If such notice is not complied with, the Superintendent shall report the matter to the District Magistrate for action under section 18 of the Act.]

Certificate of vaccination shall be in the following form :—

A.—*Quetta Municipality.*

FLY LEAF.		CERTIFICATE OF VACCINATION ISSUED ON OF 189 .						
Register No.	Register No.	VACCINATED CHILD.			PARENT OR GUARDIAN.			Result of operation.
		Name.	Sex.	Age.	Name.	Caste.	Place of abode.	
Date of presentation.								Case examined on the and found
Result.	NOTE—The child herein mentioned is to be presented with this certificate for examination on <i>Public Vaccinator.</i>							
Record of instructions.	Certified that the above is a true account of the vaccination it records.							
	This certificate was given to				with instructions to			
<i>Public Vaccinator.</i>	<i>Superintendent of Vaccination.</i>				<i>Public Vaccinator.</i>			

The entry in the column of results should be (1) "successful" or (2) "unsuccessful," or (3) "unsuccessful for the third time."

The instructions should be (1) "to preserve the certificate" or (2) "to present the child for re-vaccination," or (3) "to consider further vaccination of the child unnecessary."

Instructions in form (3) shall be countersigned by the Superintendent.

<sup>1</sup> Substituted by Notification No. 879, dated the 28th February, 1898. *Gazette of India*, 1898, Pt. II, p. 285.

Certificate of unfitness for vaccination shall be in the following form:—

*B.—Quetta Municipality.*

No. DATE	No. CERTIFICATE OF UNFITNESS FOR VACCINATION ISSUED ON THE OF 189 .						
Name of child.	Child.			Parent or Guardian.			INSTRUCTIONS.
	Name.	Sex.	Age.	Name.	Caste.	Place of abode.	
Name of parent and place of abode.							Child to be presented for re-inspection on
Cause of unfitness.	I hereby certify that the above-named child was presented to me for vaccination this day and found unfit for vaccination for a period of by reason of						
Instructions.							
Public Vaccinator.	Countersigned.			Superintendent of Vaccination.			Public Vaccinator.

The instruction entry should denote (1) a fixed date of the current vaccination season, or (2) a period of the next vaccination season.

FORM C.

PUBLIC NOTICE DATED\_\_\_\_\_.

The public are hereby informed that the vaccination season of 189 , commenced on the , and this is to give notice that, in obedience to the law, every unvaccinated child of more than six months of age, resident within the Quetta Municipality, should be presented by its parent or guardian to the Public Vaccinator for inspection, with a view to its vaccination. If by reason of ill-health the child is found to be temporarily unfit for vaccination, a certificate (in Form B) will be issued to the parent or guardian of the child notifying the date on which the child must again be presented for inspection with a view to vaccination.

*Secretary, Municipal Committee.*

FORM D.

NOTICE ISSUED UNDER SECTION 17 OF THE VACCINATION ACT ON THE  
OF 189 .

To

(Name)

*of (address)*

*Quetta.*

The above-named (name) is required to present to the Public Vaccinator the undermentioned child (or children) on the \_\_\_\_\_ of \_\_\_\_\_

189 , for examination, with a view to the vaccination of such child (or children).

*Name or description of child (or children).*

*Superintendent of Vaccination.*

REGISTER (RULE XV).

FORM I.

*Vaccination register of infants born in the \_\_\_\_\_ Mohalla  
of Quetta Municipality, commencing from 1st March 1897.*

Serial No.	Place of abode in Mohalla.	Name of parent or guardian.	Name, sex and caste of child.	Date of birth.	Number in general vaccination register.	Date of vaccination.	AGE AT TIME OF VACCINATION.	RESULT OF VACCINATION.	RE-VACCINATION.	CAUSE OF NON-VACCINATION.
							Under one year.			
							Above one and under six years.			
							Successful.			
							Unsuccessful.			
							Unknown.			
							Date.			
							Successful.			
							Unsuccessful.			
							Leaving Quetta municipal limits with date.			
							Sickness.	Certificate No.		
							Insusceptibility.			
							Death with date.			
							Initials of vaccinator.			
							Initials of inspecting officer.			

FORM II.

*Register of names of boys of less than 14 years of age, and of girls of less than 8 years of age, now resident in or hereafter brought into the Quetta Municipality who have not been vaccinated or have not had small-pox disease.*

Serial No.	Place of abode in Mohalla.	Name of parent or guardian.	Name, sex and caste of child.	Date of registration.	Number of general vaccination register.	Date of vaccination.	AGE AT TIME OF VACCINATION.	RESULT OF VACCINATION.	RE-VACCINATION.	CAUSE OF NON-VACCINATION.
						Under one year.				
						Above one and under six years.				
						Successful.				
						Unsuccessful.				
						Unknown.				
						Date.				
						Successful.				
						Unsuccessful.				
						Leaving Quetta municipal limits with date.				
						Sickness.				
						Insusceptibility.				
						Death with date.				
						Initials of vaccinator.				
						Initials of inspecting officer.				

[*Gazette of India*, 1908, Pt. II, p. 108.]

*Rules for Quetta Cantonment.*

No. 1942, dated the 4th April, 1908.—In supersession of Notification No. 4471, dated Quetta, the 17th July, 1897, the Agent to the Governor General in Baluchistan is pleased to make the following rules under section 20 of the Vaccination Act, XIII of 1880, for the regulation of vaccine operations within the limits of the Cantonment of Quetta.

*Division of the Cantonment into circles for the performance of vaccination.*

- I. The area of the Quetta Cantonment shall be considered one circle for the purpose of these rules.
- II. The Civil Surgeon of Quetta shall, *ex-officio*, be Superintendent of Vaccination within the limits of the Quetta Cantonment as regards the general public, the vaccination of all troops, their families and fol-

lowers being carried out by the Medical Officer concerned, and in carrying out these rules shall act in consultation with the Principal Medical Officer, His Majesty's Forces in Baluchistan.

*The authority with which the appointment, suspension and dismissal of the Public Vaccinator shall rest.*

III. A Public Vaccinator for the Cantonment shall be appointed by the <sup>1</sup>[Cantonment Board] on the nomination of the Superintendent, and may, for recorded misconduct, be suspended or dismissed from office by the <sup>1</sup>[Cantonment Board] on the recommendation of the Superintendent.

IV. The Public Vaccinator shall not be absent from his circle without the permission of the Superintendent.

V. The vaccination season shall continue throughout the entire year.

*The distinguishing mark or badge to be worn.*

V. The Public Vaccinator shall at all times, when engaged in the duties of his office wear a badge in the form of a brass plate, with the words "Public Vaccinator, Quetta Cantonment," engraved on it.

*The facilities to be afforded to people for procuring the vaccination of children at their own houses.*

VII. The Public Vaccinator shall vaccinate children of the circle at their homes at the request of a parent or guardian, or at any other place within the circle by direction of the Superintendent.

The Public Vaccinator may also visit and vaccinate children residing beyond the circle, at the request of a parent or guardian, and with the permission of the Superintendent.

*The grant and form of certificates of successful vaccination, of unfitness for vaccination or of insusceptibility to vaccination.*

VIII. Certificates of vaccination shall be in the Form (A) hereto annexed.

IX. Certificates of unfitness for vaccination shall be in the Form (B) hereto annexed.

X. The Public Vaccinator shall issue to the parent or guardian a certificate of vaccination in Form (A) on account of every child vaccinated on the day of vaccination, and shall complete the certificate on the day of examination, and he shall also issue to the parent or guardian a

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<sup>1</sup> Substituted by Notification No. 524-P. S., dated the 4th February, 1929. *Gazette of India*, 1929, Pt. II-A, p. 87.

certificate in Form (B) of unfitness for vaccination, on account of every child found unfit on the day of examination. All cases of reported unfitness for vaccination shall be referred by the Vaccinator to the Superintendent, who shall countersign every certificate issued in Form (B).

Before final delivery to the parent or guardian of any certificate the Public Vaccinator shall complete and sign the entries on its fly-leaf, which shall remain bound in the book of such certificates. The Public Vaccinator shall be provided with books of the above Forms (A) and (B).

*The nature of the lymph to be used, and the supply of a sufficient quantity of such lymph.*

XI. The lymph ordinarily used by the Public Vaccinator shall be human lymph, supplied to the Public Vaccinator by the Superintendent, payment for the same being made from the Cantonment Fund; but arm-to-arm vaccination shall be practised. Lymph shall not be taken for any purpose from an unhealthy or weakly child, and more specially not from a child with appearance of skin disease.

In the event of a considerable demand for vaccination with animal lymph arising in the circle, the Superintendent shall either cultivate such lymph or procure a supply from elsewhere.

The necessary appliances shall be supplied to the Public Vaccinator by the Superintendent at the expense of the Cantonment Fund.

*Fee to be levied for Vaccination with human or animal lymph.*

XII. No fee shall be charged for vaccination with human or animal lymph within the circle limits.

For the successful vaccination with human or animal lymph of a child residing beyond the circle limits, when operation and inspection are performed at the child's home, the Public Vaccinator shall be entitled to a fee of four annas.

*The preparation and keeping of certain registers.*

XIII. The <sup>1</sup>[Cantonment Board] shall take measures to prepare and keep the following registers in the forms appended to those rules:—

- (1) Register of infants born within the circle on or after the 1st March, 1897, with a record of vaccination or reason for non-vaccination, in every Mohalla of the Cantonment.

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<sup>1</sup> Substituted by Notification No. 524-P. S., dated the 4th February, 1929. *Gazette of India*, 1929, Pt. II-A, p. 87.



- (2) Register of the names of children who either are now resident within Cantonment limits, or are brought into them after the 1st March, 1897, and who have not been vaccinated, or have not had small-pox, such children having resided within Cantonment limits for a month, and being, if boys under the age of 14 years and if girls under the age of 8 years.

XIV. The general register of vaccinations performed in the circle, and forms of monthly returns shall be supplied by the Superintendent.

XV. On the 1st March and 1st September in each year, the <sup>1</sup>[Executive Officer] shall cause notices to be affixed for public information in every important portion or quarter of the circle in the accompanying Form C, in English, Persian, Pushtoo and Urdu.

The <sup>1</sup>[Executive Officer] may at any time direct the public crier to call attention to these notices.

*The preparation of Vaccination Reports and Returns.*

XVI. A monthly figured statement of results shall be submitted by the Public Vaccinator to the Superintendent in the approved departmental form. At the same time a copy shall be sent to the <sup>1</sup>[Cantonment Board].

The Public Vaccinator shall submit to the Superintendent and to the <sup>1</sup>[Cantonment Board] a figured statement of results for the year after its termination, together with a concise report upon the working of the Act during the year.

*Miscellaneous.*

XVII. All the fees received by the Public Vaccinator shall be credited to the Cantonment fund.

XVIII. The notice referred to in section 17 of the Act shall be in the accompanying Form D.

If such notice is not complied with, the Superintendent shall report the matter to the [Judicial Officer, Quetta Cantonment]<sup>1</sup> who shall proceed as directed in section 18 of the Act.

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<sup>1</sup> Substituted by Notification No. 524-P. S., dated the 4th February, 1920. *Gazette of India*, 1920, Pt. II-A., p. 87.

BALUCHISTAN AGENCY TERRITORIES.—(VI.—Orders under Acts 101  
locally applied.)

Certificate of vaccination shall be in the following form:—

A.—Quetta Cantonment.

FLY LEAF.	CERTIFICATE OF VACCINATION ISSUED ON OF 192 .						
	VACCINATED CHILD.			PARENT OR GUARDIAN.			
Register No.	Register No.	Name	Sex.	Age.	Name.	Caste.	Place of abode.
							Result of operation.
Date of presentation.							Case examined on the  and found
	NOTE.—The child herein mentioned is to be presented with this certificate for examination on						
Result.	Public Vaccinator.						
Record of instructions.	Certified that the above is a true account of the vaccination it records.						
	This certificate was given to with instructions to						
Public Vaccinator.	Superintendent of Vaccination.			Public Vaccinator.			

The entry in the column of results should be (1) "successful," or (2) "unsuccessful," or (3) "unsuccessful for the third time."

The instructions should be (1) "to preserve the certificate" or (2) "to present the child for re-vaccination," or (3) "to consider further vaccination of the child unnecessary."

Instructions in form (3) shall be countersigned by the Superintendent.

Certificate of unfitness for vaccination shall be in the following form:—

*B.—Quetta Cantonment.*

NO. DATE.	NO. CERTIFICATE OF UNFITNESS FOR VACCINATION ISSUED ON THE OF 192 .						
Name of child.	CHILD			PARENT OR GUARDIAN.			Instructions.
	Name.	Sex.	Age.	Name.	Caste.	Place of abode.	
Name of parent and place of abode.							Child to be presented for re-inspection on
Cause of unfitness.	I hereby certify that the above-named child was presented to me for vaccination this day and found unfit for vaccination for a period of by reason of						
Instructions.							Public Vaccinator.
Public Vaccinator.	Countersigned.		Superintendent of Vaccination.				

The instruction entry should denote (1) a fixed date of the current vaccination season, or (2) a period of the next vaccination season.

FORM C.

PUBLIC NOTICE DATED—

The public are hereby informed that, in obedience to the law, every unvaccinated child of more than six months of age, resident within the Quetta Cantonment, should be presented by its parent or guardian to the Public Vaccinator for inspection, with a view to its vaccination. If by reason of ill-health the child is found to be temporarily unfit for vaccination, a certificate (in form B) will be issued to the parent or guardian of the child notifying the date on which the child must again be presented for inspection with a view to vaccination.

<sup>1</sup>[Executive Officer.]

<sup>1</sup> Substituted by Notification No. 524-P. S., dated the 4th February, 1929. *Gazette of India*, 1929, Pt. II-A, p. 87.

FORM D.

NOTICE ISSUED UNDER SECTION 17 OF THE VACCINATION ACT ON THE

OF

192 .

To

(Name)

of (address)

Quetta.

The above-named (name) is required to present to the Public Vaccinator the undermentioned child (or children) on the \_\_\_\_\_ of 192\_\_\_\_, for examination, with a view to the vaccination of such child (or children).

Name or description of child (or children).

Superintendent of Vaccination, Quetta Cantonment.

REGISTER (RULE XV).

FORM I.

*Vaccination register of infants born in the Mohalla  
of Quetta Cantonment, commencing from 1st March, 1897.*

Serial No.	Place of abode in Mohalla.	Name of parent or guardian.	Name, sex and caste of child.	Date of birth.	Number in general vaccination register.	Date of vaccination.	AGE AT TIME OF VACCINATION.	RESULT OF VACCINATION.	RE-VACCINATION.	CAUSE OF NON-VACCINATION.	Initials of vaccinator.	Initials of inspecting officer.
						Under one year.						
						Above one and under six years.						
						Successful.						
						Unsuccessful.						
						Unknown.						
						Date.						
						Successful.						
						Unsuccessful.						
						Leaving Quetta cantonment limits with date.						
						Sickness.						
						Insusceptibility.						
						Death with date.						
						Initials of vaccinator.						
						Initials of inspecting officer.						

FORM II.

*Register of names of boys of less than 14 years of age, and of girls less than 8 years of age, now resident in or hereafter brought into the Quetta Cantonment, who have not been vaccinated or have not had small-pox disease.*

Serial No.	Place of abode in Mohalla.	Name of parent or guardian.	Name, sex and caste of child.	Date of registration.	Number of general vaccination register.	Date of vaccination.
						AGE AT TIME OF VACCINA- TION.
						Under one year.
						Above one and under six years.
						Successful.
						Unsuccessful.
						Unknown
						RESULT OF VACCINATION.
						Date.
						Successful.
						Unsuccessful.
						Re-VACCINATION.
						Date.
						Successful.
						Unsuccessful.
						Leaving Quetta cantonment limits with date.
						Sickness.
						Certificate No.
						Inusceptibility.
						Death with date.
						Initials of vaccinator.
						Initials of inspecting officer.

[*Gazette of India*, 1908, Pt. II, p. 558.]

## INDIAN SALT ACT, 1882.

*Manufacture of salt prohibited in the Nasirabad tahsil.*

*No. 271-Exc., dated the 14th January, 1908.*—In exercise of the powers conferred by section 6, clause (a) of the Indian Salt Act, 1882 (XII of 1882), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to prohibit absolutely the manufacture of salt in the Nasirabad tahsil of the Baluchistan Agency territories.

[*Gazette of India*, 1908, Pt. I, p. 49.]

*Manufacture of saltpetre prohibited in the Nasirabad tahsil.*

No. 1187-I. B., dated the 9th June, 1917.—In exercise of the powers conferred by section 6, clause (a) of the Indian Salt Act, 1882 (XII of 1882), as applied to the territories administered by the Agent to

the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to prohibit absolutely the manufacture of saltpetre in the Nasirabad tahsil of the Baluchistan Agency territories.

[*Gazette of India*, 1911, Pt. I, p. 438.]

*Exemption from duty of salt imported from British India into the Agency Territories when duty has been paid in British India.*

<sup>1</sup>No. 165-F., dated the 1st March, 1922.—In exercise of the powers conferred by section 7 of the Indian Salt Act, 1882 (XII of 1882), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and in supersession of the Notification of the Government of India in this Department, No. 835-D., dated the 1st March, 1916, the Governor General in Council is pleased to direct that no duty shall be levied in respect of salt imported from British India into the said territories, in respect of which the duty leviable in British India has already been paid.

[*Gazette of India*, Extraordinary, 1922, p. 229.]

*Additional Salt Rules.*

No. 676-F., dated the 7th December, 1914.—In exercise of the powers conferred by sections 26, 27 and 28 of the Indian Salt Act, 1882 (XII of 1882), as in force in the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to make the following rules, in addition to the Baluchistan Salt Rules, 1914, published with the notification of the Government of India in the Department of Commerce and Industry,<sup>2</sup> No. 12690—18, dated the 21st November, 1914, namely:—

1. The provisions of rules 3 to 7, relating to salt manufactured in the Kalat State, shall apply, so far as may be, to all other salt which it is desired to import into the town of Quetta, except salt in respect of which duty leviable under section 7 of the Act has already been paid. Permits in all cases of importation of salt into the Quetta district or town will be issued by the Treasury Officer, Quetta.
2. The provisions of rules 9 to 17 shall, in the Nasirabad tahsil of the Kohlu, Nasirabad and Railway district, apply also, so far as may be, to salt and saltpetre illicitly manufactured. In applying the provisions of rule 16 to the said tahsil the following addition shall be made thereto, namely:—

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<sup>1</sup> Cf. Notification No. B.-129-I, dated the 1st March, 1922. Printed *supra*, p. 11.

<sup>2</sup> *Gazette of India*, 1914, Pt. I, p. 1953.

“When a Magistrate orders the confiscation of works, materials or implements under section 9 of the Act, they shall be sold or destroyed by dismantling or otherwise under the orders of the Sub-Divisional Officer.”

3. The Nasirabad Salt Rules, 1911, published with notification No. 1186-I. B., dated the 9th June, 1911, are hereby rescinded.

[*Gazette of India*, 1914, Pt. I, p. 2065.]

*Conferment of powers on officers.*

*No. 900-R., dated the 22nd March, 1915.*—In exercise of the powers conferred on him by section 30 of the Indian Salt Act, 1882 (XII of 1882), as in force in the territories administered by the Hon'ble the Agent to the Governor General as such Agent, the Agent to the Governor General is pleased to confer—

- (1) Upon the Secretary, Quetta Municipal Committee, the powers of a Superintendent of Salt Revenue (who is superior in rank to an Inspector of Salt Revenue) to be exercised by him within the limits of the Quetta Municipality.
- (2) Upon the officers mentioned below the powers of a Salt Revenue Officer specified in sections 16 and 17 of the Act to be exercised by them within the areas noted against their names:—
  - (a) The Thanadar of the Rindli Thana—within the limits of the Bolan Sub-Tahsil.
  - (b) The Duffedar in charge of the Mamal Salt Tract—within the limits of the Nasirabad Tahsil.
  - (c) Supervising Tappedars and Tappedars in the Nasirabad Tahsil—within the limits of their circles.

This office Notifications Nos. 1246-Z., dated the 12th August, 1907, and 192-R., dated the 14th July, 1911, are hereby cancelled.

[*Gazette of India*, 1915, Pt. II, p. 665.]

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

*Appointment of Registrar of Births and Deaths for the Quetta District.*

*No. 284-R., dated the 22nd January, 1920.*—In exercise of the powers conferred by section 12 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), as in force in the Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated

<sup>1</sup> See now notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

the 28th July 1911, the Agent to the Governor General is pleased to appoint the person holding the office of Assistant Political Agent, Quetta, for the time being, to be Registrar of Births and Deaths for the Quetta District.

[*Gazette of India*, 1920, Pt. II, p. 206.]

PUNJAB LAND REVENUE ACT, 1887.

*Appointments of Assistant Collectors in the Quetta Tahsil.*

No. 3568, dated the 5th June, 1895.—Under section 6 of the Punjab Land Revenue Act (XVII of 1887), as applied to the Tahsil of Quetta by the notification of the Government of India in the Foreign Department, No. 977-E.,<sup>1</sup> dated the 17th May, 1895, the Agent to the Governor General is pleased to appoint—

- (a) the Assistant Political Agent for Quetta and Pishin and the Tahsildar of Quetta to be Assistant Collectors of the 1st grade, and
- (b) the Naib Tahsildar of Quetta to be an Assistant Collector of the 2nd grade,

for the purposes of the said Act within the local limits of the Tahsil of Quetta.

[*Gazette of India*, 1895, Pt. II, p. 738.]

*Discharge of functions under the Act in the Quetta Tahsil.*

No. 2256, dated the 24th April, 1897.—Under section 10 of the Punjab Land Revenue Act (XVII of 1887), as applied to the Quetta Tahsil by the Government of India in the Foreign Department Notification No. 977-E.,<sup>1</sup> dated the 17th May, 1895, the Agent to the Governor General in Baluchistan is pleased to make the following orders as to the functions to be discharged under the said Act in the said Tahsil by classes of revenue officers, viz. :—

- (1) The functions arising under the chapters and sections of the Act, which are specified in Schedule A hereto annexed, shall be discharged only by the Political Agent (Collector) and the Revenue Commissioner;
- (2) The functions arising under the sections and chapters of the Act, which are specified in Schedule B hereto annexed, shall be discharged only by the Assistant Political Agent (Assistant Collector of the 1st grade), the Political Agent and the Revenue Commissioner;



- (3) In any case in which a rule made, or hereafter to be made, under the Act specifies the class of revenue officer by whom a function is to be discharged, that function shall be discharged by an officer of that class only;
- (4) All functions arising under the Act, in respect of which the class of revenue officers by whom the function is to be discharged is specified neither in the Act, nor in any rule made under the Act, nor in this notification, may be discharged by any class of revenue officers.

*Schedule A.*

Section or Chapter.	Subject.
Chapter III . . . . .	The appointment, punishment, suspension or removal of Kanungos, Patwaris or village headmen.
Chapter V . . . . .	Assessment.
Section 66 . . . . .	Certification of statement of account of arrears of land revenue.
Section 145 . . . . .	Preparation of list of village cesses.

*Schedule B.*

Section or Chapter.	Subject.
Section 36 (2) . . . . .	Placing persons in possession of disputed property.
Section 70 (1) . . . . .	Distrainment and sale of moveables and crops for an arrear of land revenue.
Section 97, cum 70 (1) . . . . .	Ditto on application of a village-officer.
Sections 101 and 103 . . . . .	Defining boundaries and erection of boundary marks.
Section 150 . . . . .	Prevention of encroachments.

[*Gazette of India*, 1897, Pt. II, p. 574.]

*Fees.*

*No. 318-S., dated the 11th February, 1910.*—Under section 38 of the Punjab Land Revenue Act (XVII of 1887), as applied to the Tahsil of Quetta by the notification of the Government of India in the Foreign Department, No. 977-E.,<sup>1</sup> dated the 17th May, 1895, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to direct that the following scale of fees shall be levied in the Quetta Tahsil for every entry relating to the acquisition of any right in an estate made in an annual record under sub-section (5) of section 34 of the said Act, or relating to the acquisition of any interest in land other than that of a

<sup>1</sup> Printed, *supra*, p. 17.

tenant-at-will holding on an annual lease made in the said record under section 35, *viz.* :—

- (a) When the entry is made in consequence of the acquisition of a right or interest transferred by a registered deed or by a decree or order of a Court or by an order of a revenue officer making or affirming a partition under Chapter IX of the Land Revenue Act, a fee of one anna only shall be charged.

In other cases :—

- (b) When the entry is made in consequence of the acquisition of a right or interest by inheritance, a fee reckoned at the rate of Re. 1-4 per cent. on the revenue assessed, provided that the minimum charge shall not be less than 4 annas.
- (c) When the entry is made in consequence of the acquisition of a right or interest otherwise than by inheritance, a fee reckoned at Rs. 2-8 per cent. on the revenue assessed, provided that the minimum charge shall not be less than 8 annas.

The whole of the fee charged under (a) and one-fifth of the fee charged under (b) and (c) shall be paid to the Patwari making the entry in the said record, the balance in the latter case being credited to Government.

When more than the minimum fee under (b) or (c) is charged fractions of an anna shall be reckoned as a full anna.

In any case in which the fee payable under the foregoing provisions is found to be excessive in amount with reference to the value of the interests transferred or for any other reasons, the Revenue Commissioner may either remit such fee or reduce it to such amount as he may consider reasonable.

[*Gazette of India*, 1910, Pt. II, p. 254.]

#### INDIAN RAILWAYS ACT, 1890.

For orders under this Act as applied, *see* Volume VIII.

#### PREVENTION OF CRUELTY TO ANIMALS ACT, 1890.

*Extension of the Act to the areas named.*

No. 581-J., dated the 23rd May, 1929.—In exercise of the powers conferred by sub-section (2) of section 1 of the Prevention of Cruelty to

Animals Act, 1890 (XI of 1890), as in force in the Baluchistan Agency Territories, and in supersession of his notification No. 4838, dated the 16th October, 1903, the Agent to the Governor General is pleased to extend the said Act to the following local areas, namely:—

- I. The Quetta District;
- II. The Bolan, Nushki and Kachhi Railway District;
- III. The Zhob District;
- IV. The Loralai District;
- V. The Kohlu and Nasirabad District; and
- VI. The Chagai District.

[*Gazette of India*, 1929, Pt. II-A., p. 233.]

EXCISE ACT, 1896.

See under Excise Regulations, 1915, *infra*.

<sup>1</sup>CODE OF CRIMINAL PROCEDURE, 1898.

*Division of districts into sub-divisions.*

No. 4826, dated the 16th October, 1903.—In exercise of the powers conferred by section 8 of the Code of Criminal Procedure, 1898, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to divide the districts of—

2\* \* \*

Zhob,

2\* \* \*

<sup>3</sup>[Kohlu and Nasirabad]

and

Loralai

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<sup>1</sup> For other orders under the Code as applied, see Orders relating to Courts. *supra*, p. 57.

<sup>2</sup> Omitted by Notification No. 591-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A., p. 234.

<sup>3</sup> Substituted by Notification No. 221-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A., p. 131.

into the following Sub-Divisions, namely:—

District.	Sub-Divisions.
* * *	* * *
(1) The Zhob District . . . . .	<sup>1</sup> (1) The Upper Zhob Sub-Division, consisting of Hindubagh and Killa Saifulla Tahsils.]
	<sup>2</sup> (2) The Lower Zhob Sub-Division, consisting of Fort Sandeman Tahsil.]
* * *	* * *
<sup>3</sup> (2) The Kohlu and Nasirabad District	(1) The Kohlu and Railway Sub-Division consisting of Kohlu and Kohlu Railway Tahsils.
	(2) The Nasirabad Sub-Division consisting of Nasirabad Tahsil.]
(3) The Loralai District . . . . .	(1) The Musakhel and Barkhan Sub-Division.
	(2) The Sinjawi Sub-Division.
	(3) The Bori Sub-Division.
* * *	* * *

[Gazette of India, 1903, Pt. II, p. 1153.]

#### INDIAN STAMP ACT, 1899.

##### *Political Agents to be Collectors for purposes of the Act.*

No. 4837, dated the 16th October, 1903.—In exercise of the powers conferred by section 2, sub-section (9), clause (b), of the Indian Stamp Act, 1899 (II of 1899), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to appoint the persons for the time being holding the offices of Political Agents, Quetta, <sup>4</sup>[Kohlu and Nasirabad] District, Zhob, Loralai, [Chugai]<sup>5</sup> and <sup>4</sup>[the Bolan, Nushki and Kachhi Railway] Districts, to be Collectors for the purposes of the Act.

[Gazette of India, 1903, Pt. II, p. 1160.]

#### INDIAN PETROLEUM ACT, 1899.

##### *Limitation of operation of Quetta Municipal Law, 1896.*

No. 3735-21, dated the 25th May, 1909.—In exercise of the power conferred by section 23 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to limit the operation of the Quetta Municipal Law, 1896, in so far as it relates to the possession or transport of petroleum,

<sup>1</sup> Omitted by Notification No. 591-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A, p. 234.

<sup>2</sup> Substituted by Notification No. 123-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 564.

<sup>3</sup> Substituted by Notification No. 221-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 181.

<sup>4</sup> Substituted by Notification No. 232-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 134.

<sup>5</sup> Inserted by Notification No. 585-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A, p. 233.

112 BALUCHISTAN AGENCY TERRITORIES.—(VI.—*Orders under Acts locally applied.*)

to quantities of ordinary petroleum not exceeding 500 gallons, and to quantities of dangerous petroleum not exceeding 3 gallons and contained in receptacles such as are described in the proviso to section 6 of the Indian Petroleum Act.

[*Gazette of India*, 1909, Pt. I, p. 428.]

GLANDERS AND FARCY ACT, 1899.

*Definition of "diseased" enlarged in Quetta Tahsil.*

No. 1560-F., dated the 18th May, 1906.—In exercise of the powers conferred by section 2, sub-section (1) of the Glanders and Farcy Act, 1899 (XIII of 1899), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to declare, in respect of the Quetta Tahsil, that, for the purpose of the definition contained in the said sub-section, "diseased" includes affected with Lymphangitis Epizootica and Surra.

[*Gazette of India*, 1906, Pt. I, p. 334.]

*Act applied to Quetta Sub-Division.*

No. 783-C., dated the 27th August, 1899.—In exercise of the powers conferred by section 3 of the Glanders and Farcy Act, 1899 (XIII of 1899), the Agent to the Governor General is pleased to apply the provisions of the said Act to the sub-division of Quetta.

[*Gazette of India*, 1899, Pt. II, p. 963.]

INDIAN RAILWAY BOARD ACT, 1905.

*Powers of the Railway Board.*

No. 801, dated the 24th March, 1905.

No. 9940, dated the 17th December, 1906.

No. 2792, dated the 8th April, 1907.

No. 2140, dated the 28th February, 1908.

} Printed in Appendix XXII.

INDIAN REGISTRATION ACT, 1908.

*Formation of Districts and Sub-Districts and appointment of Inspector-General of Registration, Registrars and Sub-Registrars.*

No. 4836, dated the 16th October, 1903.—In exercise of the powers conferred by sections 4, 5, 6, 7 and 9 of the Indian Registration Act, 1877 (III of 1877), as applied to the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, the said Agent is pleased to make the following orders:—

1. All the powers and duties conferred and imposed by the Act upon the Inspector-General of Registration shall be exer-

cised and performed in the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, by the Revenue Commissioner in Baluchistan.

2. The Districts of Quetta, <sup>1</sup>[Chagai], Zhob, Loralai, <sup>2</sup>[the Bolan, Nushki and Kachhi Railway] and <sup>2</sup>[the Kohlu and Nasirabad District] as constituted for the purposes of revenue administration shall also be districts for the purposes of the Registration Act.

3. Each of these districts is hereby divided into the sub-districts specified below having respectively the limits stated opposite each:—

District.	Sub-District.	Limits.
<sup>3</sup> (1) Quetta . . . . .	Quetta Municipality <sup>4</sup> [and Cantonment].	Municipal, <sup>4</sup> [Cantonment] and Railway limits.
(2) Quetta . . . . .	Quetta Tashil . . . . .	All the Quetta Tahsil not included in the above limits.
(3) Zhob . . . . .	Hindubagh . . . . .	The Hindubagh Tahsil.
(4) Zhob . . . . .	Fort Sandeman . . . . .	<sup>4</sup> [The Lower Zhob sub-division.]
(5) Zhob . . . . .	Killa Saifulla . . . . .	The Killa Saifulla Tahsil.
(6) Loralai . . . . .	Bori . . . . .	The Bori Tahsil.
(7) Loralai . . . . .	Musakhel . . . . .	The Musakhel Tahsil.
(8) Loralai . . . . .	Barkhan . . . . .	The Barkhan Tahsil.
(9) Loralai . . . . .	Sinjawi . . . . .	The Sinjawi Tahsil.
<sup>2</sup> (10) Bolan, Nushki and Kachhi Railway.	Bolan, Nushki and Kachhi Railway.	The Bolan, Nushki and Kachhi Railway limits.]
<sup>2</sup> (11) Kohlu and Nasirabad District.	The Kohlu Railway . . . . .	The limits of the North Western Railway between Nari and Spintangi.]
<sup>2</sup> (12) Kohlu and Nasirabad District.	Kohlu . . . . .	The Kohlu Tahsil.]
<sup>2</sup> (13) Kohlu and Nasirabad District.	Nasirabad . . . . .	The Nasirabad Tahsil.]
<sup>1</sup> (14) Chagai . . . . .	Nushki . . . . .	Nushki Tahsil.
(15) Chagai . . . . .	Dalbandin . . . . .	Dalbandin Tahsil.]

<sup>1</sup> Inserted by Notification No. 586-J., dated the 23rd May, 1929. *Gazette of India*, 1929, Pt. II-A, p. 234.

<sup>2</sup> Substituted by Notification No. 230-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 134.

<sup>3</sup> Original entry No. 1 was deleted, and the entries re-numbered, by Notification No. 3879-R., dated the 12th September, 1927. *Gazette of India*, 1927, Pt. II-A, p. 405.

<sup>4</sup> Inserted by ditto.

<sup>5</sup> Substituted by Notification No. 128-J., dated the 2nd March, 1915. *Gazette of India*, 1915, Pt. II, p. 565.

4. The Political Agents for the time being of the districts mentioned in paragraph 2 of this order are hereby appointed to be *ex-officio* Registrars of the districts of which they are respectively in charge.
5. The offices of the Political Agents are hereby established as the offices of the Registrars.
6. The public officers mentioned below are appointed Sub-Registrars of the sub-districts mentioned opposite their names, and their offices are hereby established as the offices of Sub-Registrars.

Officers.

Sub-Districts.

<sup>1</sup> [(1) The Extra Assistant Commissioner, Nushki and Kachhi Railway District.	The Bolan, Nushki and Kachhi Railway sub-district.]
<sup>2</sup> [(2)] The Tahsildar, Hindubagh . . .	The Hindubagh sub-district.
<sup>2</sup> [(3)] The Tahsildar, Killa Saifulla . . .	The Killa Saifulla sub-district.
<sup>2</sup> [(4)] The Tahsildar, Fort Sandeman . . .	The Fort Sandeman sub-district.
<sup>2</sup> [(5)] The Tahsildar, Bori . . .	The Bori sub-district.
<sup>2</sup> [(6)] The Tahsildar, Musakhel . . .	The Musakhel sub-district.
<sup>2</sup> [(7)] The Tahsildar, Barkhan . . .	The Barkhan sub-district.
<sup>2</sup> [(8)] The Naib Tahsildar, Sinjawi . . .	The Sinjawi sub-district.
(9) The Tahsildar, Sibi . . .	<sup>1</sup> [The Kohlu Railway sub-district.]
(10) The Naib Tahsildar, Kohlu . . .	The Kohlu sub-district.
(11) The Tahsildar, Nasirabad . . .	The Nasirabad sub-district.
<sup>3</sup> [(12) The Tahsildar, Nushki . . .	The Nushki sub-district.
(13) The Tahsildar, Dalbandin . . .	The Dalbandin sub-district.]

[*Gazette of India*, 1903, Pt. II, p. 1159.]

*Appointment of joint Sub-Registrar.*

No. 2114, dated the 15th May, 1906.—In exercise of the powers conferred by sections 6 and 7 of the Indian Registration Act, 1877 (III of 1877), as applied to the territories administered by the Hon'ble the Agent to the Governor General as such Agent, and in continuation of this office notification<sup>4</sup> No. 4836 of the 16th October, 1903, the Hon'ble the Agent to the Governor General is pleased to appoint the person holding for the time being the office of the Assistant Political Agent, Kalat, to be the joint Sub-Registrar for the Sub-District of <sup>5</sup>[the Bolan, Nushki and

<sup>1</sup> Substituted by Notification No. 230-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 134.

<sup>2</sup> Re-numbered by Notification No. 3879-R., dated the 12th September, 1927. *Gazette of India*, 1927, Pt. II-A, p. 405.

<sup>3</sup> Inserted by notification No. 586-J., dated the 23rd May 1929. *Gazette of India*, 1929, Pt. II-A, p. 234.

<sup>4</sup> Printed, *supra*, p. 112.

<sup>5</sup> Substituted by Notification No. 231-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 134.

Kachhi Railway] and to establish hereby his office to be an office of a joint Sub-Registrar within the limits of <sup>1</sup>[the Bolan, Nushki and Kachhi Railway] Sub-District.

[*Gazette of India*, 1906, Pt. II, p. 631.]

*Appointment of joint Sub-Registrar.*

No. 703-R., dated the 8th February, 1911.—In exercise of the powers conferred by sections 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908), as applied to the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, and in continuation of this office notification<sup>2</sup> No. 4836 of the 16th October 1903, the Hon'ble the Agent to the Governor General is pleased to appoint the person holding for the time being the office of the Extra Assistant Commissioner, Upper Zhob, to be the Joint Sub-Registrar for the Sub-District of Hindubagh and to establish hereby his office to be an office of a Joint Sub-Registrar within the limits of the Hindubagh Sub-District.

[*Gazette of India*, 1911, Pt. II, p. 222.]

*Appointment of joint Sub-Registrar.*

No. 5377-R., dated the 22nd December, 1922.—In exercise of the powers conferred by sections 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908), as in force in the Baluchistan Agency territories by virtue of Foreign Department Notification<sup>3</sup> No. 1603-I. B., dated the 28th July, 1911, and in continuation of this office notification No. 1911-R., dated the 11th March, 1922, the Agent to the Governor General is pleased to appoint the person holding for the time being the office of the Treasury Officer, Quetta, to be the Joint Sub-Registrar of Quetta Municipality and Quetta Tahsil Sub-Districts and to establish hereby his office to be an office of a Joint Sub-Registrar within the limits of the Quetta Municipality and Quetta Tahsil Sub-Districts.

[*Gazette of India*, 1922, Pt. II, p. 1834.]

INDIAN ARMY ACT, 1911.

*Extension of Article 166<sup>4</sup> of the Indian Articles of War (Act V of 1869) to Fort Sandeman.*

No. 785, dated the 12th August, 1892.—Not re-printed.

[*Gazette of India*, 1892, Pt. I, p. 531.]

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<sup>1</sup> Substituted by Notification No. 231-P., dated the 17th February, 1927. *Gazette of India*, 1927, Pt. II-A, p. 134.

<sup>2</sup> Printed, *supra*, p. 112.

<sup>3</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>4</sup> See now section 22 of the Indian Army Act, 1911.



INDIAN AIRCRAFT ACT, 1911.

*Prohibition of navigation of aircraft.*

No. Av.-17, dated the 1st October, 1926.—In exercise of the powers conferred by sub-section (1) of section 7 of the Indian Aircraft Act, 1911 (XVII of 1911), as in force in British India and as locally applied, the Governor General in Council is pleased to prohibit the navigation of aircraft, except by reason of stress of weather or other unavoidable cause, over any of the areas specified in the first column of the annexed Schedule, save under a license granted by the authority specified in the corresponding entry in the second column thereof:—

*Schedule.*

Area.	Authority.
(1) The Administered Districts and Political Agencies of the North-West Frontier Province.	The Chief Commissioner and Agent to the Governor General, North-West Frontier Province.
(2) The areas in British Baluchistan and the Baluchistan Agency Territories lying to the north of line 26° 20' north latitude.	The Chief Commissioner, British Baluchistan, and Agent to the Governor General, Baluchistan.

[*Gazette of India*, 1926, Pt. I, p. 1068.]

INDIAN MOTOR VEHICLES ACT, 1914.

*Rules for the control of Motor Taxis in Quetta Town and Cantonment.*

No. 2712-R., dated the 8th July, 1920.—In exercise of the powers conferred by section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Agent to the Governor General in Baluchistan is pleased to make the following rules for the regulation and control of the Motor Taxis in the Quetta Town and Cantonment including the Cavalry Camp at Baleli and also in the area lying within a radius of five miles from Quetta. The rules shall come into force six weeks from the date of the publication of this notification.

*Motor-taxis.*

1. Every Motor Taxi shall be required to take out a license from the Municipality.

*Place and office for issue of license.*

2. Such license shall be granted by the Secretary to the Quetta Municipality after the Motor Taxis have been inspected and approved by a Committee, consisting of himself or his Assistant, the Superintendent of Police or his Assistant or one of the Deputy Superintendents of Police, and the <sup>1</sup>[Executive Officer] or his Assistant.

<sup>1</sup> Substituted by Notification No. 525-P. S., dated the 4th February, 1929. *Gazette of India*, 1929, Pt. II-A, p. 87.

*Condition of license.*

3. The license shall be granted to Motor Taxis subject to the Indian Motor Vehicles Act (VIII of 1914) and to the provisions contained in these bye-laws and the following conditions:—

- (i) Every Motor Cab shall be provided with a means of communication between the passenger and the driver.
- (ii) Every Motor Cab shall be provided with adequate means for the conveyance of a reasonable quantity of luggage, and with a sufficient number of chains, straps or other means of securing such luggage. No luggage shall be carried on the roof of the Cab.
- (iii) No printed or written matter other than the sanctioned rates for hire or these rules shall appear on the outside of a Motor Cab or be carried by way of advertisement.
- (iv) The cushions of the seats in every Motor Cab shall be covered and stuffed with suitable material to be approved by the Committee referred to in rule 2 of these rules.
- (v) The doors, windows, seats, roof, springs, wheels, cushions, linings, panels, etc., and all furniture and appointments of a Motor Cab shall be in proper order and repair, the paint and varnish in good condition and the inside perfectly clean. The floor shall be covered with a mat of rubber, coir or other suitable material.
- (vi) The Committee referred to in rule 2 of these rules may prohibit the use of a Motor Cab which is in their opinion unfit to ply for hire until such time as the defects are remedied to their satisfaction.
- (vii) The Motor Cabs are provided with lights (see rule 26), horns, brakes, speed indicators and taxi-meters.
- (viii) The brakes of a Motor Cab shall be so affixed as to be capable of easy application. At least one brake shall be so made as to be applied by the foot of the driver, and at least one shall act directly upon the road wheels.

*Taxi-meter.*

4. (1) No motor car shall be used as a motor cab, unless it is fitted with a Taxi-meter for automatically and visibly registering on each occasion the fare to be charged according to the rates for distance or time or a combination of distance and time. The Taxi-meter must be fixed to and operated from a "non-driving wheel". Every Taxi-meter

when in use shall be locked and sealed, so that it may not be tampered with.

(2) Every Taxi-meter shall be fitted with an indicator or handle in the form of a flag on which shall be printed the words "for hire". The Taxi-meter shall be so constructed that when the indicator is vertical the Taxi-meter shall be out of action. Such indicator shall be so placed as to be clearly visible to any person outside of and in front of the vehicle, and to the hirer when inside.

(3) The vertical position shall indicate that the vehicle is available for hire, and no driver shall without reasonable excuse refuse to accept a fare when the indicator is in the vertical position.

(4) Any owner, driver, attendant or other person who shall break or tamper in any way with the seal placed on the Taxi-meter or who shall, with intent to deceive, tamper with the taxi-meter or the driving mechanism thereof, shall be deemed to have committed a breach of this rule.

*Testing of Taxi-meter.*

5. Every Taxi-meter referred to in rule 4 shall, after it is affixed to a motor cab, whether for the first time or after repair or other readjustment be submitted to the Secretary to the Quetta Municipality or to such officer as he may empower in this behalf, for the purpose of examination as to the correctness of fittings and of subjection to a practical road-test over a measured distance of one mile and a time test of not less than half an hour. If found to be correct, the Taxi-meter and its fittings shall then be sealed to the motor cab in such a manner that it cannot be removed or tampered with without the seals being broken or removed.

6. Every Taxi-meter shall, at the end of each period of six months (the first of such periods commencing from the date of the test referred to in rule 5), be submitted to a test similar to that prescribed by rule 5.

Provided that every Taxi-meter shall, at any time, if so required by the Secretary to the Quetta Municipality, be submitted to him or to such officer as he may empower in his behalf, for the purpose of undergoing such test or any portion thereof.

*Period and revocation of license.*

7. Licenses issued under these rules shall continue in force during that official year for which they are granted. But they shall be liable to revocation within that time by order of the Committee granting the license on proof before it that the proprietor or his agent has been guilty of an infringement of any of these bye-laws or has been convicted of any offence under these rules or that the conditions on which the license has been granted are not fully maintained.

*Transfer of license.*

8. When a licensed Motor-Taxi is transferred to a new proprietor during the year of license the name of such proprietor shall be duly reported by the transferer to the Secretary to the Quetta Municipality and shall be substituted in the license for the name of transferer without further payment.

*Numbering of license and Motor-vehicle.*

9. Each license shall bear a serial number and this number shall be printed in English on iron plates hanging in front and back of the vehicle, the figures on which shall be of the following dimensions:—

Height of each figure  $3\frac{1}{2}$  inches, uniform thickness  $\frac{3}{4}$  inch, each figure occupying a space of  $2\frac{1}{2}$  inches with 1 inch between each figure, and a margin of  $\frac{1}{2}$  inch at the top, bottom and sides of the plate.

*Production of license.*

10. All Motor-Taxi licenses shall be produced for inspection when required by any Magistrate, Police Officer or the Secretary to the Quetta Municipality.

*Motor-taxi driver's license.*

11. No person shall be allowed to act as a driver of a licensed motor vehicle, except under a driver's license granted on that behalf by the Municipality (*vide* Rule 12).

A driver's license should not be granted to any person under 18 years of age.

12. Before a driver's license is granted to any person he shall be particularly examined in his knowledge of driving and of locality, both in Civil lines and Cantonments. Such examination shall be conducted by one of the members of the Committee constituted under rule 2 of these rules.

*Driver's badge and uniform.*

13. Every driver so licensed while on duty with a motor-taxi shall wear a brass badge (to be provided free by the Municipality) on his chest bearing the number of his license and shall wear a prescribed uniform which shall at all times be kept in good and serviceable condition and have his driver's license as also that of motor taxi in his possession. The brass badge is the property of the Municipality and is returnable to the Municipal Secretary on the termination of the license.

*Change of address.*

14. All changes in the licensee's address shall be at once notified to the Secretary to the Quetta Municipality by a written notice signed by the holder of the license, and quoting the number and the date of the license.

*License and badge non-transferable.*

15. Neither the license nor the badge above referred to shall be transferred or lent to any other person under any circumstances whatsoever.

16. The driver of a motor-taxi shall, as soon as he is hired and no sooner, set the Taxi-meter in motion and upon the termination of the hiring shall immediately stop the same. If he neglects or fails to do so, he shall be deemed to have committed a breach of this rule:

Provided that in the event of a motor cab whilst hired being unable to proceed from any mechanical derangement or tyre failure, either temporarily or otherwise, the driver shall at once stop the mechanism of the Taxi-meter as against the hirer, and shall not restart the same until such time as the defect is remedied.

*Form of license for Motor-taxi and drivers.*

17. The license for motor taxi and drivers shall be in the form attached to these rules.

*Fee for Motor-taxis.*

18. The fee for Motor-taxi license shall be:—

Motor-cabs (Taxis) Rs. 16 per annum and the fee for every re-registration of such a car shall be Rs. 8 per annum.

*Fee for Motor-taxi drivers.*

19. A fee of Rs. 10 shall be paid to the Municipality on the issue of license, by the driver. If the license be suspended or cancelled for any breach of the rules or the conditions herein contained, a fee of Rs. 10 shall be payable when the license is reissued or a new one granted.

The license shall be in force for the official year for which it is granted and be subject thereafter to renewal annually on payment of Rs. 2.

*Forfeiture of Motor driver's license.*

20. The Motor-taxi driver's license shall be forfeited if—

- (a) he overdrives, or drives recklessly,
- (b) he is found drunk during his employment,

- (c) he stands elsewhere than at some stand or other place appointed for the purpose, or loiters for the purpose of being hired, in or upon any public street or road or place,
- (d) he makes use of insulting or abusive language or gestures,
- (e) he refuses to give way (when he reasonably and conveniently may do so) to any other vehicle,
- (f) he wilfully obstructs or hinders the driver of any other motor-cab in taking up or setting down any person into or from such other motor-cab,
- (g) he wrongfully prevents, or intends to prevent the driver of any other motor-cab from being hired,
- (h) he demands more than the proper fare to which he is legally entitled,
- (i) before he has been discharged by the hirer, deserts from the hirer,
- (j) he plies for hire with any motor-cab which is at the time unfit for public use, or
- (k) he shouts in order to attract the attention of the public or of a possible hirer, or, for any other reason, acts in such a way as to cause inconvenience or annoyance to the public.

*Stands for Motor-taxis.*

21. The Committee referred to in rule 2 of these rules shall appoint places as stands for licensed Motor-Taxis.

*Carrying capacity of Motor-Taxi.*

22. The carrying capacity of all motor-taxis shall be fixed by the licensing Committee (*vide* rule 2).

*List of fares.*

23. Every licensed Motor Taxi shall have affixed a list of the fares prescribed in the following rules. The list shall be printed in English and Urdu. One copy shall be provided yearly at the time of licensing by the licensing officer; but such list if lost, destroyed or defaced shall be replaced by the proprietor at his own expense.

*Tariff rates.*

24. (1) The maximum rates which may be charged for the hire of a licensed motor-taxi shall be as follows:—

	Annas.
For the first mile or part of a mile . . . . .	10
For every subsequent one-fifth mile . . . . .	2
For every 4 minutes detention . . . . .	2

(2) For journeys outside the Municipal and Cantonment limits the said tariff shall be charged while the motor-cab is occupied, and if the return journey is made by the motor-cab unoccupied, an additional charge shall be made for the return journey to the nearest point of the Municipal and Cantonment limits. Such additional charge shall be at the rate of 6 annas a mile.

(3) If the motor-cab is licensed for more than two persons and at any time during the hiring more than two persons are carried together, the driver shall be entitled to an extra payment of six annas for every person above two so carried, provided that if more than one of the persons or children is under the age of 10 years the extra payment for each child shall be three annas only.

(4) The driver shall be entitled to a waiting charge at the rate of Re. 1-14 per hour or two annas for each four minutes at all times during the day or night.

25. No hirer shall refuse or omit to pay the legal fare for the hire of a motor-cab; nor shall he refuse to supply his correct name and address to the driver in case of dispute in connection with the fare.

*Carrying of lights.*

26. Every licensed motor-taxi shall be provided with lights, *viz.*, two head lights and one tail light, and one light so placed as to illuminate the taxi-meter at night.

*Carrying of patients suffering from infectious disease.*

27. No owner or driver of a licensed motor-cab shall suffer such motor-cab to be employed to carry any person suffering from either plague, cholera, small-pox or leprosy, nor shall the corpse of a person who has died from any such disease be conveyed in such motor-cab, except under the directions of a medical practitioner. Any motor-cab used for such a purpose shall be immediately presented by the owner or driver for disinfection at the Municipal Health Officer's Office.

*Lost property.*

28. Property found in a licensed motor-taxi shall be deposited at the nearest Police Station by the proprietor or driver of such taxi. A list of such property shall be posted at the Head Quarter City Police Station and at such other places as the Superintendent of Police may direct.

*Prosecution.*

29. Prosecution for the breach of these rules may be instituted by any passenger, Police Officer, or Secretary to the Quetta Municipality.

*Trial of Cases.*

30. Cases of breach of these rules may be tried by any Magistrate authorised to do so by the Political Agent, Quetta-Pishin.

QUETTA MUNICIPALITY.

CERTIFICATE OF REGISTRATION OF MOTOR-CAB No.

(Not transferable.)

*(To be returned for cancellation should the ownership of this vehicle change hands.)*

Name of owner

Address

*Description of the Cab.*

1. Colour
2. Body
3. Cylinders
4. Accommodation
5. Make
6. Horse Power

Certified that the above Motor-cab has been registered under the Indian Motor Vehicles Act, 1914, and rules framed thereunder.

No.            is assigned to this Motor-cab.

This certificate shall subject to the Motor Vehicles Rules, 1914, continue in force only until the            19   .

Municipal Office,

The            19   .

Municipal Secretary, Quetta.

Renewed until the  
Municipal Office,

The            19   .

Municipal Secretary, Quetta.

Renewed until the  
Municipal Office,

The            19   .

Municipal Secretary, Quetta.

Application for a license to drive a            Motor-cab (Taxi-cab)  
under the Indian Motor Vehicles Act, 1914, and the rules made there-  
under.



Application is hereby made to the Secretary to the Quetta Municipality, for a license to drive a Motor-cab (Taxi-cab).

The required fee, Rs. 10, is sent herewith.

Name of applicant in full.

Father's name.

Caste or religion.

Address in Quetta.

Native village , Post Office , Thana , District

Dated the 19 .

The fee Rs. , mentioned above, has been received by me  
this day of 19 , and duly credited, *vide* Cash  
Book No. , dated the

Accountant,  
Municipal Office, Quetta.

Cashier,  
Municipal Office, Quetta.

Signature or left thumb  
impression of applicant.

License No. in favour of to drive a  
Motor-cab (Taxi-cab) and to expire on the  
has been issued to-day.

Municipal Office,  
The

19 .

H. Carriage Inspector.

Photograph.

No.

*License to drive a Motor-cab (Taxi-cab).*

By virtue of the powers vested in the Secretary to the Quetta Municipality, by the Hon'ble the Agent to the Governor General's Notification No. , dated , under the Indian Motor Vehicles Act, 1914, this license and the rules made thereunder, is granted to:—

Name in full.

Father's Name.

Caste or religion.

Address in Quetta.

Native village , Post Office , Thana . District , to act as driver of any Motor-cab in the town and cantonments of Quetta for a period of from the date hereof to the subject to these rules.

Given under my hand and seal this day of one thousand nine hundred .

Municipal Office,

The 19 .

Municipal Secretary, Quetta.

Renewed until the

Municipal Office,

The 19 .

Municipal Secretary, Quetta.

Renewed until the

Municipal Office,

The 19 .

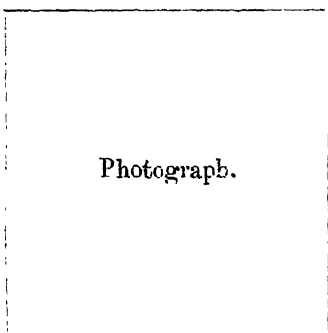
Municipal Secretary, Quetta.

*Licensee's record.*

Name of proprietor of vehicles to be driven.	Address of proprietor.	Date of Licensee's entering employer's service.	Date of quitting service.	Particulars of previous service.	Number and original date of ordinary driving license if any.

*Endorsement.*

Particulars of any convictions for breach of rules or regulations under the Act previous to the issue of this license.



[*Gazette of India*, 1920, Pt. II, p. 1401.]

*Rules for the control of Motor Omnibuses.*

No. 4807-R., dated the 10th November, 1922.—In exercise of the powers conferred by section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Agent to the Governor General in Baluchistan is pleased to make the following rules for the regulation and control of Motor Omnibuses in the Quetta District including the town and Cantonment of Quetta which will come into force six weeks from the date of the publication of this Notification:—

1. *Definition of motor-omnibuses.*—For the purpose of these rules a “motor-omnibus” or “motor stage-carriage” means a motor vehicle (not being a motor-taxi) which plies for hire and has seating accommodation for eight or more passengers.

2. *Registration of motor-omnibuses.*—Every motor-omnibus plying for hire in a public place shall be registered annually at the Police Office and shall hold a subsisting certificate.  
Municipal Office

3. *Transfer of license.*—When a licensed motor-omnibus is transferred to a new proprietor during the year of license the name of such proprietor shall be duly reported by the transferer to the Superintendent of  
Police , Quetta, and shall be substituted in the license for the name  
Secretary Municipal  
of the transferer without further payment.

4. *Annual fee.*—The fee payable for the first registration of a motor-omnibus shall be Rs. 16 and the fee payable for every re-registration for such motor-omnibus shall be Rs. 8.

5. *Lost property.*—The conductor of a motor-omnibus or stage-carriage shall immediately after the completion of a journey, carefully

search for any property accidentally left in it, and shall take the same within 24 hours, if not sooner claimed by the owner, to the nearest Police Station.

6. *Driving licenses*.—No person shall act as a conductor of a motor-omnibus unless he holds a subsisting license granted him by the Superintendent of Police, Quetta, under 11 Motor-Taxi Rules, authorising him to drive a motor-omnibus, and no person shall employ any one to drive a motor-omnibus who does not hold such a license.

7. *Fee for driving licenses*.—The fee payable for each license prescribed by Rule 6 shall be Rs. 10 with an annual renewal fee of Rs. 2.

8. *Uniform and badge*.—Every conductor and every driver of a motor-omnibus or stage-carriage shall wear a prescribed uniform and badge.

9. *Inspection of vehicle*.—Every motor-omnibus must be presented for inspection in thoroughly good condition and no vehicle will be certified fit for public use unless it is properly painted and varnished. A proprietor may, if he desires, apply for a preliminary inspection of the chassis.

10. *Specification of routes*.—(1) When making application for the vehicle to be inspected the proprietor must specify the route, or routes upon which and the hours between which he intends the vehicle to ply, and these routes may not be departed from except after due notice has been given to the Superintendent of Police, Quetta, and his permission obtained in writing.

(2) Nothing in sub-rule (1) shall be taken to prohibit a proprietor changing a route as often as he chooses, provided such route has been previously certified to be suitable for such vehicles.

11. *Weight*.—Every motor-omnibus must be so constructed that the following maxima of weight are in no case exceeded:—

Unloaded . . . . .	Tons.
or, if the manufacturers prefer—	3
Back axle-weight, laden . . . . .	4
Front axle-weight, laden . . . . .	2

The total weight shall not exceed six tons when the vehicle is in every respect ready for service and has its full lawful load, one hundred and forty pounds being allowed each for the passengers, the driver and the conductor.

12. If it is found that a vehicle skids badly, or cannot be held under proper control, the Superintendent of Police, Quetta, may serve a notice on the proprietor "not to use the vehicle" and may refuse to license the vehicle again until the defects have been remedied.

13. *Brakes.*—Every motor-omnibus must be fitted with, at least two independent brakes, each capable of stopping and holding the vehicle under all conditions. They must also, where necessary, be fitted with an approved form of compensating device.

NOTE.—The maintenance of the brakes in perfect order is of the utmost importance and this will be at all times insisted upon. They will at any time be subject to inspection by the Police and the Municipal Secretary.

14. Motor-omnibuses, which are intended to ply upon routes which have bridges will be subject to a special test and additional brakes, or further fittings may be required.

15. Each vehicle must be capable of being readily steered and of turning corners without unduly interfering with other traffic.

16. Every vehicle must be submitted at a time and place appointed by the Superintendent of Police  
Municipal Secretary, to be specially tested in respect of noise and vibration.

17. *Speed.*—Every omnibus must be so geared that its highest speed shall not be in excess of the maximum laid down, *viz.*, 12 miles an hour.

18. *Smoke.*—(1) The lubrication of the engine and the carburation of the working mixture must be so controlled that smoke shall not be emitted with the exhaust, or from any other part.

(2) The proprietor of a vehicle which is not properly maintained in accordance with the foregoing sub-rule may be served with a notice “not to use the vehicle” until the defect has been remedied.

19. *Comfort of the passengers.*—Effective means must be adopted for preventing the heat of the motor generator or exhaust pipe connections from injuriously affecting any parts of the vehicle for the comfort of the passengers.

20. *Carrying of patients suffering from infectious diseases.*—No owner or driver of a licensed motor-omnibus shall suffer such motor-omnibus to be employed to carry any person suffering from either plague, cholera, small-pox or leprosy, nor shall the corpse of a person who has died from any such disease be conveyed in such motor omnibus except under the directions of a medical practitioner. Any motor-omnibus used for such a purpose shall be immediately presented by the owner, or driver, for disinfection at the Municipal Health Office.

21. *Fire extinguishers.*—Suitable and approved appliances for extinguishing fires must be carried in such a position as to be readily available for use.

22. *Lighting of vehicle.*—The vehicle must be suitably lighted inside and outside. Where acetylene, or other gas, is used, the cylinders or

vessels which contain the gas, or in which it is generated, must be fixed outside in such a position as to be removed as far as possible from danger of accidental ignition. The pipes must be led along the outside of the vehicle but not along the outside of the roof.

23. *Seat cushions*.—When cushions are provided for seats, they must be covered with leather, cloth of good quality, or other suitable material.

24. *Horns*.—A hand-bulb horn for giving due warning of the approach of the vehicle, must be provided.

25. *Destination Boards*.—A box, or other approved means, must be fitted to the front and to the rear of the vehicle to show destination to which the vehicle is proceeding. The letters and back ground must be black and white, respectively, and the letters at least  $4\frac{1}{2}$  inches high and proportionately thick.

The destination boards shall be illuminated by night in an approved manner for the guidance of intending passengers.

26. *Route boards*.—The principal points of the route shall be subject to the approval of the Superintendent of Police Municipal Secretary, Quetta, and must be painted in black or white letters, not less than 4 inches high and of proportionate thickness, and be exhibited on boards affixed to the front and rear of the vehicle.

27. The following particulars must also be suitably painted on the omnibus:—

- (a) the weight and speed limit;
- (b) the full name and sur-name of proprietor, to be painted on each side clear of the wheels;
- (c) the words “ Quetta Stage Carriage ” and the number on the number plate, to be painted inside the omnibus and also outside, at the back, on the near side;
- (d) the fares, to be legibly painted in English and vernacular inside the omnibus; and
- (e) the number of passengers which the vehicle is licensed to carry, to be legibly painted inside and outside the vehicle

28. *Advertisements*.—No printed, written, or other matter shall appear on the outside or the inside of the vehicle, or be carried by way of advertisement, except such, if any, as may be approved by the Superintendent of Police Municipal Secretary, Quetta.

29. *Schedule of Fares.*—The fares shall be as follows:—

	Per seat.
	As.
From Railway Station to City . . . . .	2
From Railway Station to Old Cantonment . . . . .	4
From Railway Station to New Cantonment . . . . .	6
From Railway Station to places beyond 7 Streams within Cantonment limits . . . . .	8
From City to Old Cantonment . . . . .	2
From City to New Cantonment . . . . .	4
From City to places beyond 7 Streams within Cantonment limits . . . . .	6

The same fare shall be charged for the return journey.

30. No passenger shall refuse or omit to pay the fare prescribed for a journey in a motor-omnibus.

31. No person except a learner, fitter or other official when specially authorised by the proprietor (such person to carry a special pass or badge) or a person authorised by the Superintendent of Police  
Municipal Secretary, Quetta, shall be allowed to ride beside the driver at any time.

32. No cans or other receptacles for oil, water, etc., are to be carried on the driver's foot board, nor may anything be placed in such a manner or position as would be likely to hamper the driver or otherwise give cause for complaint.

33. Each carriage must be fitted with an approved means for enabling passengers both inside and outside to signal to the driver or conductor, when required.

34. Notwithstanding anything contained in these rules, if there is anything in the construction, working or general appearance of a motor-omnibus which, in the opinion of the Superintendent of Police  
Municipal Secretary, renders the vehicle unfit for public use, it shall not be licensed.

35. *Production of license.*—All motor-omnibus licenses shall be produced for inspection when required by any Magistrate, Police Officer, or the Secretary to the Quetta Municipality.

36. *Misconduct of conductors or drivers.*—No conductor or driver of a motor omnibus shall—

(a) be drunk during his employment;

(b) make use of insulting or abusive language or gesture.

37. No conductor shall demand more than the proper fare to which he is legally entitled.

38. *Prosecution*.—Prosecution for the breach of these rules may be instituted by any passenger or Police Officer, by the Superintendent of Police, Quetta, or by any official authorised by him. Municipal Secretary,

39. *Punishments*.—Any person who commits a breach of any of these rules shall, on conviction by a Magistrate, be punishable with fine which may extend to Rs. 100 and, in the case of a continuing breach, with a further fine which may extend to Rs. 5 for every day after the first during which the breach continues.

[*Gazette of India*, 1922, Pt. II, p. 1638.]

PROVINCIAL INSOLVENCY ACT, 1920.

*Officers invested with powers of a District Court.*

No. 2041, dated the 13th May, 1910.—In exercise of the powers conferred by the proviso to sub-section (1) of section 3 of the Provincial Insolvency Act, 1907 (Act III of 1907), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent, and with the previous sanction of the Governor General in Council, the Hon'ble the Agent to the Governor General is pleased to invest the Court of the Extra Assistant Commissioner, Quetta, with the powers conferred on a District Court by the said Act.

[*Gazette of India*, 1910, Pt. II, p. 791.]

No. 471-J., dated the 23rd August, 1915.—In exercise of the powers conferred by the proviso to sub-section (1) of section 3 of the Provincial Insolvency Act (III of 1907), as in force in the Baluchistan Agency Territories by virtue of the Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July 1911, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to invest the Court of the Extra Assistant Commissioner, Upper Zhob, and the Court of the Extra Assistant Commissioner, Lower Zhob, each with the powers of a District Court under the said Act in respect of insolvency cases arising within their respective jurisdictions.

[*Gazette of India*, 1915, Pt. II, p. 1955.]

No. 219-Z. J., dated the 11th July, 1924.—In exercise of the powers conferred by the proviso to sub-section (1) of section 3 of the Provincial Insolvency Act, 1920 (V of 1920), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th July 1911, the Hon'ble the Agent to the Governor General is pleased to invest the Court of the Extra Assistant Commissioner, Barkhan, with the powers conferred on a District Court by the said Act.

[*Gazette of India*, 1924, Pt. II-A, p. 244.]

<sup>1</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.



CANTONMENTS (HOUSE ACCOMMODATION) ACT, 1923.

*Act operative in Quetta Cantonment.*

No. 4592, dated the 3rd October, 1905.—In exercise of the powers conferred by section 3 of the Cantonments (House Accommodation) Act, 1902<sup>1</sup> (II of 1902), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to declare the above Act to be operative in Quetta Cantonment.

[*Gazette of India*, 1905, Pt. II, p. 1223.]

INDIAN PAPER CURRENCY ACT, 1923.

*Agency Territories included in the Karachi Circle of Issue.*

No. 1809-I. B., dated the 14th September, 1910.—In exercise of the powers conferred by section 5 of the Indian Paper Currency Act, 1910 (II of 1910), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent by the notification of the Government of India in the Finance Department, No. 2716-A., dated the 27th May 1910, the Governor General in Council is pleased to direct that all the districts in the said territories shall, for the purposes of the said Act, belong to the Karachi Circle of issue established under the like Notification No. 880-A., dated the 18th February 1910.

[*Gazette of India*, 1910, Pt. I, p. 959.]

CANTONMENTS ACT, 1924.

*Diseases deemed infectious or contagious.*

No. 1332, dated the 16th May, 1924.—Under the provisions of section 2 (xvii) of the Cantonments Act, 1924 (II of 1924), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>2</sup> No. 1603-I. B., dated the 28th July 1911, the Hon'ble the Agent to the Governor General is pleased to declare that the following diseases shall also be deemed as infectious or contagious diseases for the purposes of the said Act within the limits of the Quetta and Loralai Cantonments:—

Acute Poliomyelitis.

Anthrax.

Cerebrospinal fever.

Relapsing fever.

Epidemic pneumonia.

Encephalitis Lethargica.

[*Gazette of India*, 1924, Pt. II-A, p. 184.]

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<sup>1</sup> Section 1 (3) of the Cantonments (House Accommodation) Act, 1923 (VI of 1923), keeps this notification in force.

<sup>2</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

*Hemp and Coca plants and preparations deemed intoxicating drugs.*

No. 1675-R., dated the 22nd May, 1924.—Under the provisions of section 2 (xix) of the Cantonments Act, 1924 (II of 1924), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>1</sup> No. 1603-I. B., dated the 28th February, 1911, the Hon'ble the Agent to the Governor General, with the previous sanction of the Governor General in Council, is pleased to declare that:—

- (a) The leaves and the flowering tops of the hemp plant and every preparation made therefrom similar to Ganja, Bhang and Charas; and
- (b) the leaves of the Coca plant (*Erythroxylum Coca*), and cocaine and every other preparation and derivative of the same plant,

shall also be deemed to be an intoxicating drug for the purposes of the said Act within the limits of the Quetta and Loralai Cantonments.

[*Gazette of India*, 1924, Pt. II-A, p. 191.]

*Cantonment of Loralai declared to be a Cantonment.*

No. 6889, dated the 3rd October, 1896.—In exercise of the power conferred by section 4 of the Cantonments Act (XIII of 1889)<sup>2</sup> as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to declare the Cantonment of Loralai, as defined in the notification of the Government of India in the Foreign Department, No. 1540-E., dated the 24th July 1890, to be a Cantonment for the purposes of the said Act so applied and of all other laws for the time being in force in the said territories.

[*Gazette of India*, 1896, Pt. II, p. 1051.]

*Definition of limits of Loralai Cantonment.*

No. 3682, dated the 14th December, 1915.—Not re-printed.

[*Gazette of India*, 1915, Pt. II, p. 2682.]

*Definition of limits of Quetta Cantonment.*

No. 383-G., dated the 22nd February, 1929.—Not re-printed.

[*Gazette of India*, 1929, Pt. II-A., p. 102.]

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<sup>1</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>2</sup> See now the Cantonments Act, 1924 (II of 1924).

*Inclusion of certain areas in the limits of Quetta Cantonment.*

No. 382-G., dated the 22nd February, 1929.—Not re-printed.

[*Gazette of India*, 1929, Pt. II-A, p. 102.]

*Extension to the environs of Quetta Cantonment of the sections of the Act relating to unauthorised sale and possession of liquor and sale of intoxicating drugs.*

No. 11340, dated the 27th December, 1900.—In exercise of the powers conferred by sections 13 and 14 of the Cantonments Act, 1889 (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Quetta, and in supersession of the notification of the Government of India in the Foreign Department, No. 1224-E., dated the 13th June 1888, the Agent to the Governor General in Baluchistan is pleased to prescribe an area of six miles around that Cantonment as the limits within which those sections shall have effect.

[*Gazette of India*, 1900, Pt. II, p. 1461.]

*Constitution of the Board.*

No. 1334, dated the 16th May, 1924.—Under the provisions of section 14 (1) (b) of the Cantonment Act, 1924 (II of 1924), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>2</sup> No. 1603-I. B., dated the 28th July 1911, the Hon'ble the Agent to the Governor General is pleased to declare that clauses (e) and (f) of the said section of the Cantonment Act shall not apply to the Cantonment of Quetta.

[*Gazette of India*, 1924, Pt. II-A, p. 184.]

*Date from which an outgoing nominated member ceases to be a member of the Board.*

No. 3177, dated the 7th October, 1925.—Under the provisions of section 15 (4) of the Cantonments Act, No. II of 1924, as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification<sup>2</sup> No. 1603-I. B., dated the 28th July 1911, the Agent to the Governor General in Baluchistan is pleased to direct that an outgoing nominated member of the Quetta Cantonment Board in Baluchistan shall cease to be a member of the board from the date of the nomination of his successor by the nominating authority.

[*Gazette of India*, 1925, Pt. II-A, p. 319.]

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<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924).

<sup>2</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

*Imposition of a water-tax in Quetta Cantonment.*

No. 2308-R., dated the 1st May, 1929.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (II of 1924), the Agent to the Governor General in Baluchistan is pleased to impose, with effect from the 1st May 1929, in the Quetta Cantonment a water tax payable as under:—

- (a) By occupants of Government Bungalows and quarters at the rate of rupee one and annas four per unit per mensem, provided that messes and barracks, etc., shall be charged at the rate of  $7\frac{1}{2}$  per cent. on the assessed rent, the tax being payable by the occupier.

*Explanation.*—The number of units in each bungalow or quarter shall be as calculated by the Local Military Authority and communicated from time to time to the Cantonment Authority. Bungalows owned by the Cantonment Board shall be assessed in the same manner, the number of units being determined by the Cantonment Authority.

- (b) By occupants of private bungalows at the rate of seven and a half per cent. on the monthly rent as registered in the office of the Cantonment Authority.
- (c) By manufacturers of aerated waters at the rate of four annas per thousand gallons of water used for the purpose of such manufacture.
- (d) In all other cases at the rate of four annas per thousand gallons consumed.

*Exemptions.*—Persons belonging to the following classes are entitled to a free supply of water for domestic or sanitary purposes at the expense of the State:—

*Class I—*

- (i) All British and Indian Troops and their families.
- (ii) All followers, whether regimental or departmental, who are paid by Government, together with their families.
- (iii) Sub-Assistant Surgeons of the Indian Medical Department and their families.

*Class II.*—If residing not as a matter of convenience, but under the rules of their service, in quarters provided rent free by Government—

- (i) Departmental Officers and departmental warrant and non-commissioned officers and their families.

- (ii) Departmental and Warrant Officers of the Indian Medical Department and their families.
- (iii) Warrant and non-commissioned officers on the Indian Unattached List, not in departmental employ, and their families.

*Class III.*—All personnel such as office establishment, peons, departmental labour, badraggas, etc., not otherwise specially mentioned when paid from Army Estimates:—

- (a) At all times, if entitled to free accommodation at the expense of the State.
- (b) During working hours only, if not entitled to free accommodation at the expense of the State.

NOTE.—The cost of water consumed by badraggas, etc., paid for from Civil Estimates shall be charged to those Estimates.

*Class IV.*—Lady Nurses of the Military Nursing Services.

*Class V.*—Civilian subordinates of the Ordnance Department who are entitled to free quarters and who occupy public quarters or quarters hired for them by the State shall pay only such portion of the water tax as may not be in excess of the tax leviable on a rental equal to one-tenth of their gross salary, any excess being borne by the State; except that when water is charged for by the quantity consumed, as measured by a meter, the subordinates concerned shall pay for the whole cost of the water consumed.

*Class VI.*—(i) Soldiers' Home or Institutes when recognised as such by the Divisional or Independent Brigade Commander.

(ii) Regimental dairies and soda-water factories conducted as regimental Institutions. Those which are worked by a Contractor or by the Army Canteen Board (India) shall pay for the water used.

*Class VII.*—Classes I, II and VI of the Auxiliary and Territorial Forces when on duty.

[*Gazette of India*, 1929, Pt. II-A, p. 192.]

*Conservancy tax in Quetta Cantonment.*

*No. 2310-R., dated the 1st May, 1929.*—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (II of 1924), the Agent to the Governor General in Baluchistan is pleased to revise, with effect from the 1st May 1929, the conservancy tax imposed in the Quetta

Cantonment by Notification No. 2867-R., dated the 11th July 1922, as follows:—

1. In the case of Civil and Military Officers and European residents—

(a) at the rate of annas fourteen per unit per mensem in each bungalow and quarter rented from Government; provided that messes and barracks, etc., shall be charged at 5 per cent. on the actual rent paid monthly.

*Explanation.*—The number of units in each bungalow or quarter shall be as calculated by the Local Military Authority and communicated from time to time to the Cantonment Authority. Bungalows owned by the Cantonment Board shall be assessed in the same manner, the number of units being determined by the Cantonment Authority.

(b) at the rate of 5 per cent. on the monthly rent as registered in the office of the Cantonment Authority for each building rented from a private owner.

2. In the case of churches and other religious buildings—

at the rate of six rupees and eight annas per latrine seat per month.

3. In the case of persons who, being inhabitants of the Cantonment, occupy Government quarters in the lines of units free of charge—

at the rate of four annas per head, or when such persons are married, per family, per month.

4. In the case of inhabitants of the Cantonment other than those covered by rules 1 and 3—

at the rate of one anna per month for each one hundred rupees or fraction thereof of the estimated value of each building owned by the Cantonment Authority and occupied by such persons and of each privately owned building which is used as a shop or for any business purpose or as a dwelling place for Indians or as an office other than a Government Office.

5. In the case of workmen employed in the Cantonments—

at the rate of six rupees and eight annas per latrine seat per month.

6. The tax shall be payable monthly by the occupier of the building in the case of occupied buildings, by the Manager or Trustees in the case of churches and other religious buildings and by the employers in the case of workmen.

*Exemptions.*—(a) All menial servants in the employment of the Quetta Cantonment Authority.

- (b) All enrolled and attested followers and troops with their families for whom conservancy charges are recovered separately under any agreement between the Military and the Cantonment Authority.

Notification by the Agent to the Governor General in Baluchistan, No. 2867-R., dated the 11th July, 1922, is hereby cancelled.

[*Gazette of India*, 1929, Pt. II-A, p. 192.]

*Tax on professions and trades in Quetta Cantonment.*

No. 5068-R., dated the 19th October, 1911.—In exercise of the powers conferred by section 15, sub-section (1) of the 'Cantonments Act, 1910 (XV of 1910), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan by the notification of the Government of India in the Foreign Department, <sup>2</sup>No. 987-I. B., dated the 12th May 1911, and with the previous sanction of the Governor General in Council, the said Agent is pleased to impose, with effect from the 1st April 1912, a tax on persons practising any of the professions or arts or carrying on any of the trades, callings or occupations enumerated in the annexed schedule within the limits of the Cantonment of Quetta at the rates noted in the schedule, namely:—

Nature of tax.	Amount per annum.		
	Rs.	A.	P.
1. Butchers . . . . .	6	0	0
2. Sellers of poultry, game or fish . . . . .	6	0	0
3. Sellers of eggs . . . . .	2	0	0
4. Purchasers of bones . . . . .	6	0	0
5. Persons keeping pigs for profit, per animal . . . . .	1	0	0
6. Dealers with the flesh of pigs which have been slaughtered in India . . . . .	6	0	0
7. Shoe-makers and sellers of boots and shoes . . . . .	2	0	0
8. Sellers of leather . . . . .	6	0	0
9. Dairy men per buffalo or cow . . . . .	3	0	0
Ditto goat . . . . .	1	8	0
10. Sellers of butter . . . . .	3	0	0
11. Makers of ghee or sellers of ghee . . . . .	3	0	0
12. Sellers of milk . . . . .	3	0	0
13. Makers or sellers of bread, biscuits and cake . . . . .	50	0	0
14. Sellers of fruit . . . . .	3	0	0
15. Sellers of vegetables . . . . .	3	0	0
16. Sellers of articles of food or drink for human con- sumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other portable water or ice) which are of a perishable nature . . . . .	6	0	0

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924).

<sup>2</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

Nature of tax.	Amount per annum.		
	Rs.	A.	P.
17. Sellers of medicines and drugs . . . . .	50	0	0
18. Manufacturers and sellers of aerated water by wholesale . . . . .	100	0	0
19. Sellers of aerated water in retail . . . . .	6	0	0
20. Sellers of wheat, rice and other grains or flour used as human food . . . . .	4	0	0
21. Makers or sellers of sweetmeats . . . . .	6	0	0
22. Sellers of tobacco . . . . .	1	0	0
23. Sellers of betel . . . . .	1	0	0
24. Sellers of matches . . . . .	1	0	0
25. Washermen . . . . .	3	0	0
26. Dealers in hay, straw and bhoosa . . . . .	100	0	0
27. Dealers in wood and charcoal . . . . .	6	0	0
28. Dealers in other inflammable materials . . . . .	6	0	0
29. Dealers in fireworks . . . . .	50	0	0
30. Tinning men . . . . .	1	0	0
31. Dyers . . . . .	6	0	0
32. Electroplating men . . . . .	1	0	0
33. Tanners . . . . .	6	0	0
34. Hawkers in general . . . . .	2	0	0
35. Barbers . . . . .	1	0	0
36. Fortune tellers . . . . .	6	0	0
37. Brokers . . . . .	20	0	0
38. Sellers of pictures . . . . .	1	0	0
39. Sellers of cloth . . . . .	1	0	0
40. Sellers of stationery . . . . .	1	0	0
41. Sellers of silver wares . . . . .	6	0	0
42. Sellers of old clothes . . . . .	10	0	0
43. Letter writers . . . . .	1	0	0
44. Photographers . . . . .	10	0	0
45. Tailors . . . . .	6	0	0
46. Jugglers . . . . .	2	0	0

Provided that when the same person practises more than one trade or profession he shall pay the full rate fixed in the foregoing schedule on that one of his trades or professions on which the tax is highest and one-half of the rate or rates fixed on his other trade or profession or trades or professions.

[*Gazette of India*, 1911, Pt. II, p. 1622.]

#### *Tax on dogs in Quetta Cantonment.*

No. 842-R., dated the 25th February, 1919.—In exercise of the powers conferred by section 15, sub-section (I), of the Cantonments Act, 1910 (XV of 1910)<sup>1</sup> as applied to the territories administered by the Agent to the Governor General in Baluchistan by the <sup>2</sup>Notification of

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as in force by virtue of Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

<sup>2</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.



the Government of India in the Foreign Department, No. 987-I. B., dated the 12th May, 1911, and with the previous sanction of the Governor General in Council, the said Agent is pleased to impose, with effect from the 1st April 1919, a tax on all dogs <sup>1</sup>[of the age of three months or over] kept within the limits of the Quetta Cantonment, to be levied at the following rates:—

Rs. 5 for each official year or part of a year for every dog provided that no tax shall be leviable—

- (a) On any dog kept within the Cantonment limits for a period not exceeding one month in an official year.
- (b) On any dog borne on the registers referred to in section 68, sub-section (2), clause (a) of the Cantonment Code, 1912.
- (c) From the members of the Association styled the Quetta Hunt, in respect of any hounds, which are or hereafter may be the property of and maintained exclusively for the purposes of the said Association.

2. Notification No. 1900-R., dated the 8th July, 1910, as amended by Notification No. 259-R., dated the 12th January, 1912, is cancelled with effect from the 1st April 1919.

[*Gazette of India*, 1919, Pt. II, p. 362.]

*Imposition of Octroi tax in Quetta Cantonment.*

No. 3648-R., dated the 6th October, 1920.—Not re-printed.\*

[*Gazette of India*, 1920, Pt. II, p. 1858.]

*Imposition of taxes in Loralai Cantonment.*

No. 3609-R., dated the 18th July, 1928.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (Act II of 1924), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan by the Baluchistan Agency's Laws Law, 1890, the said Agent is pleased to impose the following taxes in the Cantonment of Loralai with effect from the 1st August, 1928:—

<i>Nature of Tax.</i>	<i>Amount.</i>
(a) Conservancy Tax.	Rs. 3 per cent. on the rent of the Bungalow, or part of the Bungalow actually occupied, on residents occupying Bungalows or parts thereof of a rental of Rs. 20 per month or over (including Regimental Messes).
	II Annas eight monthly per latrine on residents with families occupying houses of a rental of less than Rs. 20 per mensem.

<sup>1</sup> Inserted by Notification No. 332-G., dated the 11th August, 1926, *Gazette of India*, 1926, Pt. II-A., p. 304.

\* Under revision.

<i>Nature of Tax.</i>	<i>Amount.</i>
	III. Annas four monthly in case of residents without families occupying houses of a rental of less than Rs. 20 per mensem and using one privy pan only.
	IV. Annas four monthly on each house in case of residents occupying rent free quarters or using public latrines (whether single or with families).
	V. When a house is occupied by more than one family, or two or more bachelors not of the same family, the tax will be payable by each such family or bachelor using a public or private joint latrine.
(b) House Tax . . .	(a) Re. 1 monthly on each occupied bungalow (wholly or partly, including Regimental Messes). (b) Annas four per month on every house or shop occupied by Indians in the Cantonment.
(c) Water Tax . . .	(a) Nine per cent. on the actual rent paid (or assessed in case of officers occupying rent free quarters) for bungalows and houses, irrespective of whether the pipe is laid on in the building or not. (b) In case of residents occupying rent free quarters annas fourteen and pies six per 1,000 gallons for the average consumption of water. Scale for the supply of water for domestic purposes in gallons per diem is assessed as follows:— (i) Civilian clerks and subordinates $5 \times 30 = 150$ gallons per month. (ii) Civilian clerks and subordinates with wives $8 \times 30 = 240$ gallons per month. (iii) In each class the scale for children to be assessed at one half of the scale fixed for adults. (iv) Animals $10 \times 30 = 300$ gallons per month on owners. (c) Annas fourteen and pies six only per 1,000 gallons of water actually used by Ice and Aerated Water Factories on owners. (d) Rs. 26 per annum per house or bungalow for Irrigation Water supplied one hour three times a week assessed monthly on occupants, (the allotment of Irrigation Water for compounds and gardens is permanent and must be paid for whether the supply is actually used or not).

provided that the said taxes shall not be leviable from any Indian Commissioned Officer (excluding King's Commissioned Officers) or from any Warrant or Non-Commissioned Officer or Soldier (British or Indian) of His Majesty's Forces or public or private followers or persons of merial grade, excepting bunniahs, butchers and tailors, or from any person not residing for more than a week in the month within the limits of the Cantonment.

2. The Hon'ble the Agent to the Governor General and Chief Commissioner's Notification No. 4262, dated the 9th September, 1909, is hereby cancelled.

*Tax on hawkers in Loralai Cantonment.*

No. 4707-R., dated the 2nd November, 1927.—In exercise of the powers conferred on him by section 60 of the Cantonments Act, 1924 (II of 1924), the Hon'ble the Agent to the Governor General and Chief Commissioner is pleased to impose, with effect from the date of this Notification, a tax on persons carrying on trade as hawkers or using sites for the sale and display of their goods within the limits of the Loralai Cantonment at the rates noted below:—

- |  |  |
|--|--|
| (a) Hawkers in general . . . . .   | Re. 1 per man per month in advance.                                      |
| (b) Persons using open sites for the sale and display of their goods.  | Rs. 2 per site per month in advance on occupants.                        |
| (c) Persons granted permission to build temporary structures at their own expense for the sale and display of their goods. | Rs. 4 per temporary structure allowed per month in advance on occupants. |

Provided that each license issued for such tax shall be valid until the last day of the month for which it is issued.

[*Gazette of India*, 1927, Pt. II-A, p. 465.]

*Imposition of a dog-tax in Loralai Cantonment.*

No. 196, dated the 17th January, 1903.—In exercise of the power conferred by section 17, sub-section (I), of the Cantonments Act, 1889<sup>1</sup> (XIII of 1889), as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan by the Baluchistan Agency Laws Law, 1890, and with the previous sanction of the Governor General in Council, the said Agent is pleased to impose the following tax in the Cantonment of Loralai on and with effect from the first April, 1903:—

Nature of tax.	Amount.
In every dog of the age of 6 months or more, kept within the limits of the said Cantonment.	Two rupees per calendar year.

Provided that the said tax shall not be leviable—

- (a) \* \* \* \* \*<sup>2</sup> from any Warrant or Non-Commissioned Officer or soldier of His Majesty's regular forces, or
- (b) from any person not residing for more than 30 days in the year within the limits of the Cantonment.

[*Gazette of India*, 1903, Pt. II, p. 72.]

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924).

<sup>2</sup> Deleted by Notification No. 3433-R., dated the 14th July, 1911, *Gazette of India*, 1911, Pt. II, p. 1147.

*Imposition of Octroi tax in Loralai Cantonment.*

\*No. 1512-R., dated the 21st April, 1921.—Not re-printed.

[*Gazette of India*, 1921, Pt. II, p. 558.]

*Exemptions from any cycle tax in the Cantonments of Quetta and Loralai.*

No. 4535-I. A., dated the 10th October, 1902.—In exercise of the powers conferred by section 20, sub-section (I), of the Cantonments Act, 1889 (XIII of 1889)<sup>1</sup>, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to exempt all warrant officers, non-commissioned officers and soldiers of the regular forces from the operation of any tax which may be for the time being imposed on cycles in the Cantonments of Quetta and Loralai.

[*Gazette of India*, 1902, Pt. I, p. 738.]

*Penalty for withholding or furnishing false information regarding liability to taxation in Quetta Cantonment.*

No. 708, dated the 23rd July, 1909.—In exercise of the powers conferred by section 25 of the Cantonments Act, 1889 (XIII of 1889)<sup>1</sup>, the Governor General in Council is pleased to extend to the Cantonment of Quetta the provisions of sub-section (2) of section 55 of the Punjab Municipal Act, 1891 (Act XX of 1891), in the adapted form set forth below :—

“ If any person, when called upon, omits to furnish information regarding his liability to taxation, or furnishes information which is untrue, he shall be punishable with fine which may extend to one hundred rupees ”.

[*Gazette of India*, 1909, Pt. I, p. 608.]

*Penalty for withholding, or furnishing false information regarding liability to taxation in Loralai Cantonment.*

No. 920, dated the 1st October, 1909.—In exercise of the powers conferred by section 25 of the Cantonments Act, 1891<sup>1</sup>, as applied to the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to extend to the

\* Amended by Notifications Nos. 518-R., dated the 12th February, 1927 (*Gazette of India*, 1927, Pt. II-A., p. 122) and 1466-R., dated the 21st March, 1928 (*Gazette of India*, 1928, Pt. II-A., p. 109). Under revision.

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924).

Cantonment of Loralai section 55 of the Punjab Municipal Act, 1891, in the adapted form set forth below:—

- (1) The Cantonment Committee may, by written communication, call upon any inhabitant of the Cantonment to furnish such information as may be necessary in order to ascertain whether such inhabitant is liable to pay any tax.
- (2) If any inhabitant so called upon to furnish information omits to furnish it or furnishes information which is untrue, he shall be punishable with fine which may extend to one hundred rupees.

[*Gazette of India*, 1909, Pt. I, p. 1036.]

*Appointment of Medical Officers to Cantonment Hospitals and Dispensaries.*

No. 1632-G., dated the 3rd January, 1928.—Under the provisions of section 171 (3) of the Cantonments Act, 1924 (II of 1924), as in force in the Baluchistan Agency Territories by virtue of Foreign Department Notification <sup>1</sup>No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General in Baluchistan is pleased to direct that the appointment of Medical Officers to Cantonment Hospitals and Dispensaries in the Cantonments of Quetta and Loralai shall be made by the General Officer Commanding-in-Chief, the Western Command.

[*Gazette of India*, 1928, Pt. II-A, p. 10.]

*Extension of sections 171 to 176 to the Municipal Limits of Quetta and the Civil Bazar of Loralai.*

No. 519-P. S., dated the 4th February, 1929.—In exercise of the powers conferred by section 286 of the Cantonment Act, 1924 (II of 1924), as in force in the Baluchistan Agency Territories by virtue of the Foreign Department Notification <sup>1</sup>No. 1603-I. B., dated the 28th July, 1911, the Hon'ble the Agent to the Governor General is pleased to extend the provisions of sections 171 to 176 (both inclusive) of the said Act to the Municipal Limits of Quetta, and the Civil Bazar of Loralai.

[*Gazette of India*, 1929, Pt. II-A, p. 87.]

BYE-LAWS OF QUETTA CANTONMENT.

*Meetings and procedure of the Board.*

No. 2940, dated the 10th October, 1924.—The following bye-laws, framed by the Cantonment Authority of Quetta under section 44 (I) of

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<sup>1</sup> See now Notification No. 347-F., dated the 23rd May, 1929, *supra*, p. 9.

the Cantonments Act, 1924, for the meetings, etc., of the Quetta Cantonment Board having been approved and confirmed by the Hon'ble the Agent to the Governor General and Chief Commissioner under section 44 (2) of the said Act are hereby published for information.

The bye-laws will come into force from the date of their publication in the *Gazette of India*.

*Bye-laws.*

(a) The ordinary meetings of the board will be held at the office of the Cantonment Board, Quetta, on the last Thursday of every month. Special meetings (under section 37 (2) of the Act) may be held at any time or place that the President may direct.

(b) Notice in writing of the time and date of the meeting together with a list of agenda shall be sent to every member and posted outside the Cantonment Office by the Secretary four clear days (or if necessary under section 38 of the Act seven clear days) before the day fixed for an ordinary meeting and at least 48 hours before the day fixed for a special meeting. Notice of an adjourned meeting shall be given at the time of adjournment and a written notice sent forthwith to those members who are not present.

(c) (1) The proceedings of the meeting shall be conducted in English.

(2) Minutes of the last meeting shall be laid before every meeting for confirmation, any correction considered necessary by a majority of the members first being made.

(3) The business specified in the agenda shall be brought before the meeting by the Secretary. Business not specified in the agenda may with the special permission of the President and subject to the proviso to section 38 of the Act be brought forward for discussion by any member.

(4) Subject to the provision of sections 46—55 of the Act no matter on which the Board has recorded a resolution shall be put before it for discussion again except:—

(i) After the lapse of 3 months from the date of the resolution and

(ii) With the special permission of the President or Vice-President or at the written request of not less than three of the members of the Board.

(d) The common seal of the Board shall be kept in the custody of the Secretary and used only as prescribed in section 114 of the Act.

(e) The duties and the powers of the Board under Chapter XI of the Act shall be delegated to a Committee consisting of the following members of whom two shall form a quorum:—

The Health Officer.

The Executive Engineer.

One Non-official member with the Executive Officer as Secretary.

This Committee shall elect its own President and shall ordinarily meet once a month immediately before the ordinary monthly meeting of the Board, but special meetings may be summoned by the Secretary at any time. Notice of all meetings shall be given as prescribed in section 44 (b) above.

The proceedings shall be conducted as prescribed in section 44 (c) above and shall be laid before the next meetings of the Board for confirmation.

[*Gazette of India*, 1924, Pt. II-A, p. 345.]

No. 2941, dated the 10th October, 1924.—The following bye-laws, framed by the Cantonment Authority of Quetta, under sections 119 (I) and 186 (a) of the Cantonments Act, 1924, having been approved and amended where necessary under section 284 (2) and confirmed by the Hon'ble the Agent to the Governor General and Chief Commissioner under section 284 (I) of the said Act are hereby published for information.

The bye-laws will come into effect from the date of their publication in the *Gazette of India*.

#### REGISTRATION OF DOGS.

##### *Bye-laws under section 119 (I).*

##### Definitions.

<sup>1</sup>[For the purposes of these rules the expression "Military Lines" means Barrack areas only and does not include houses or quarters outside such areas occupied by Officers, Warrant Officers and Non-Commissioned Officers.]

"Collar" means a collar of metal or leather but does not include a piece of cloth or string.

1. All dogs of the age of three months or over shall be registered annually at the office of the Cantonment Authority, or in the case of dogs kept in Military lines by the Officer Commanding the unit con-

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<sup>1</sup>Substituted by Notification No. 331-G., dated the 11th August 1926, *Gazette of India*, 1926, Pt. II-A., p. 304.

cerned who will furnish the Cantonment Authority on the 1st of April of each year with a copy of the register kept by him and will notify any alterations or additions to it as they occur.

2. The register kept under bye-law 1 shall show the description of the dog, the name, and address of the owner or person in charge of it and the date of registration.

3. The particulars required by bye-law 2 above shall be furnished by every owner or person in charge of a dog within seven days of the dog coming into his ownership or charge and annually by the 1st of April to the Cantonment Authority or Officer Commanding the Unit as the case may be.

4. On receipt of these particulars the Cantonment Authority or the Officer Commanding the Unit as the case may be shall register the dog and the Cantonment Authority shall issue a metal token for attachment to its collar on payment of the following sum:—

- (a) In the case of persons exempted from dog tax under the provision of Notification No. 842-R., dated the 26th February 1919, by the Hon'ble the Agent to the Governor General in Baluchistan . . . . . 8 annas.
- (b) In case of non-exempted persons . . . The sum specified in the said Notification.

This token shall be valid until the 31st of March of the year of issue.

5. Any dog not registered or not wearing a valid token as described above shall if found in any public place be detained at the place set apart for the purpose in the Cantonment Conservancy Lines.

6. The owner or person in charge of a dog detained under bye-law 5 shall pay a fee for such detention at the rate of eight annas for the first day and four annas for every subsequent day of detention.

7. For the purpose of bye-law 6 any dog entered in the register of detained dogs which shall be maintained by the Cantonment Authority shall be deemed to have been detained for one day and a dog released before 9 A.M. on any subsequent day shall not be liable for a fee for that day.

8. A dog detained under bye-law 5 shall be destroyed or otherwise disposed of under the orders of the Executive Officer of the Cantonment Board unless it is claimed and the fee under bye-law 6 paid within one week of its detention.

9. Any owner or person in charge of a dog who fails to furnish the particulars required by bye-law 2 and any person who removes a dog detained under bye-law 6 without paying the fee due or who infringes any other of these bye-laws shall on conviction before a Magistrate be



liable for the penalty prescribed in section 283 (b) of the Cantonment Act.

10. Nothing in these bye-laws shall exempt any person from the provision of the tax imposed by Notification No. 842-R., dated the 26th February 1919, by the Hon'ble the Agent to the Governor General in Baluchistan.

#### BUILDINGS.

##### *Bye-law under section 186 (a).*

(1) A notice under section 179 (1) of the Cantonments Act shall be written in English on the form appended to these bye-laws and shall be accompanied by a plan of the building or buildings to be erected or re-erected and a site-plan of the land on which they are to be built.

(2) The plan of the building shall be on tracing cloth in duplicate on a scale of 8' to the inch and shall include a ground plan, an elevation and a section and shall show:

(a) The position and dimensions of all projections beyond the main walls of the building.

(b) The position of all drains, latrines, cesspools, soakage pits, etc.

(c) The level and width of the foundations and level of the lowest floor with reference to the level of the centre of the street in which the main building will abut.

(3) The site plan shall be on tracing cloth in duplicate on a scale of <sup>1</sup>[20] feet to the inch and shall show:—

(a) The direction of the North point.

(b) The boundaries of the site.

(c) Such neighbouring streets, buildings or natural features as will enable the site to be identified.

(d) The position in relation to the boundaries of the site of all buildings to be erected.

*Notice under section 179 of the Cantonments Act of 1924.*

From

To

THE SECRETARY,

Cantonment Board, Quetta.

Quetta, the

I hereby give notice under section 179 of the Cantonments Act of 1924 that I intend to  $\frac{\text{erect}}{\text{re-erect}}$  a building as hereinafter specified  $\frac{\text{in}}{\text{on}}$

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<sup>1</sup> Substituted by Notification No. 331-G., dated the 11th August, 1926, *Gazette of India*, 1926, Pt. II-A, p. 304.

\* I attach the specification and plans in duplicate required by the Cantonment bye-laws.

Signature.

*Specifications.*

Name of street or locality.

Number of site.

The purpose for which the building is to be used.

The number of storeys of which the building will consist

The material to be used for the floor walls and roof

The specification of subsidiary buildings  
and

In the case of minor alterations a brief description of the same and of the material to be used.

[*Gazette of India*, 1924, Pt. II-A, p. 345.]

No. 4338, dated the 22nd December, 1925.—In exercise of the powers conferred by sub-section (1) of section 284 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Quetta, the Agent to the Governor General and Chief Commissioner is pleased to confirm and publish for general information the following bye-laws, made by the Cantonment Authority, Quetta, under sections 282 (1) and 283 (b) of the said Act:—

*Bye-laws relating to the registration of births and deaths.*

1. A register of births and deaths occurring in the Cantonment will be maintained by the Cantonment Board in Forms A and B which are attached to these rules.

2. The Head for the time being of every house or family in the Cantonment in which a birth occurs shall within 7 days report it (in writing) at the Cantonment Office, or if the birth occurred in military lines, to the Officer Commanding the Unit or Head of the Department occupying the lines.

3. The following particulars shall be given in every report made under bye-law 2:—

(a) the date of the birth and the sex and name (if any) of the child;

(b) the name, place of residence and occupation and the caste and religion (if any) of the father and name of the mother

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\* Street or locality.

before marriage if the person is willing to furnish these particulars:

(c) the name and place of residence of the person making the report.

4. The Head for the time being of every house or family in which any death occurs shall within 24 hours report the same at the Cantonment Office, or if the death occurred in military lines, to the Officer Commanding the Unit or Head of the Department occupying the lines.

5. The following particulars shall be given in every report made under bye-law 4:—

(a) the date and cause of death, the sex, name, age and occupation and the caste and religion (if any) of the deceased and the place of residence of the deceased at the time of death;

(b) the name of the father or if the deceased was a married woman the name of her husband if the person making the report is willing to furnish these particulars;

(c) the name and place of residence of the person making the report.

6. Every Officer Commanding a Unit or Head of a Department receiving the report of a birth or death under bye-law 2 or 4 shall forward the same to the Cantonment Office within 7 days of its receipt.

7. Every Medical Officer or Police Officer shall report at the Cantonment Office as soon as possible every birth or death occurring in the Cantonment of which he becomes cognisant in the exercise of his profession or in the course of his duty, unless he has reason to believe that it has already been reported under bye-law 2 or 4.

8. A certified copy of any birth or death report made at the Cantonment office may be obtained on payment of six annas *plus* the search fee prescribed by Government in similar cases.

9. Whoever fails to comply with the provisions of any of the foregoing bye-laws shall on conviction before a Magistrate be punishable with a fine not exceeding one hundred rupees.

NOTE.—The term "military lines" used in the foregoing bye-laws means barrack areas and Warrant and Non-Commissioned Officers' quarters but not quarters or bungalows occupied by officers.

FORM A.

Register of births in Quetta Cantonment for the month of

19 .

Date of birth.	Sex.		Name of the child.	Particulars regarding Father.					Mother's name before marriage.		By whom reported.	
	Male.	Female.		Name of Father.	Permanent residence.	Occupation.	Caste.	Religion.			Name.	Residence.

FORM B.

Register of deaths in Quetta Cantonment for the month of

19 .

Date and cause of death.	Sex.		Name.	Age.	Occupation.	Caste.	Religion.	Permanent residence.	Name of Father.	By whom reported.	
	Male.	Female.								Name.	Residence.

[Gazette of India, 1926, Pt. II-A, p. 8.]

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*No. 3310, dated the 7th November, 1924.*—In exercise of the powers conferred by sub-section (1) of section 284 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Quetta, the Agent to the Cantonment Authority, Quetta, under sections 282 (4) and 283 of and publish for general information the following bye-laws, made by the Cantonment Authority, Quetta, under sections 282 (4) and 283 of the said Act:—

*Bye-laws relating to syces and orderlies riding or leading horses on any rides maintained by the Cantonment Board, Quetta.*

1. Under the provisions of section 282 (4) of the Cantonments Act, 1924, syces and orderlies are prohibited from riding or leading horses at a faster pace than a walk on any rides maintained by the Quetta Cantonment Board.

2. Any contravention of bye-law No. 1 shall be punishable with a fine which may extend to rupees one hundred.

[*Gazette of India*, 1924, Pt. II-A, p. 373.]

*No. 495-G., dated the 12th April, 1927.*—The following bye-laws framed by the Cantonment Authority of Quetta under section 282 (4) and (5) of the Cantonments Act, 1924 (II of 1924), as amended by the Cantonments (Amendment) Acts, 1925 and 1926, having been approved and confirmed by the Hon'ble the Agent to the Governor General and Chief Commissioner in Baluchistan under section 284 (1) of the said Act are hereby published for information.

The Bye-laws will come into effect from the date of their publication in the *Gazette of India*:—

#### VEHICLES.

*Bye-laws under section 282 (4) and (5).*

1. No motor-vehicles or hackney carriage shall be driven by a person of less than 18 years of age. In the case of other vehicles the driver shall not be of less than 15 years of age.

2. Every driver of a vehicle and every person in charge of an animal except led horses passing along any street shall cause the vehicle or animal to keep on the left side of the street unless there be reasonable excuse for not so doing and shall in passing another vehicle or animal proceeding in front in the same direction cause the vehicle or animal to keep on the right side of such other vehicle or animal.

3. No person driving a conveyance in a street shall, unless there be reasonable excuse for doing so, stop his vehicle at any place except close to the edge of that part of such street which is intended for wheeled traffic.

4. No person in charge of a vehicle or animal shall take his vehicle or animal or any part of the vehicle on to any footpath intended for the use of pedestrians, or to take any vehicle on to a ride without special permission.

5. No person shall allow any vehicle or animal of any kind to remain stationary in a street in such a position as to cause inconvenience to the public.

6. No person shall allow any vehicle to remain stationary at any place in a street unless the street is of such breadth as to allow the passage at such place of two vehicles abreast.

7. No driver of any vehicle other than of a motor vehicle shall have on his vehicle any mechanical, electric or bulb alarm.

8. No person shall drive any vehicle on a street after the time notified on the lighting-up time notice boards by competent authority for lighting up unless such vehicle carries a light or lights placed as follows:—

**Bicycle or Tricycle.**—One bright light affixed to the machine in front.

**Thela, Bullock cart and Hand cart.**—One bright light placed on the right side of the vehicle and visible from the front.

**All other vehicles.**—One bright light placed on each side of the vehicles and visible from the front, and a red lamp also at rear in the case of a motor vehicle, but in the case of motor cycle without side-car it may have a red reflector in lieu of the red lamp.

9. No person shall allow any vehicle or animal other than a motor vehicle to remain stationary in any street except under proper control. No driver shall leave a motor vehicle while the engine is in action.

10. No person shall take a cart which is carrying bricks, kankar, earth, stone, metal or other loose material along any street unless the cart is protected by boards on its sides, front and back which shall be at least six inches higher than the surface level of the material in the cart.

11. When loading or unloading a cart in a street the person in charge of the cart shall cause it to stand parallel with the footpath and close to the edge of the carriage way, or, if there is no footpath, parallel with and close to the edge of the street.

12. Not more than one person shall ride on a bicycle designed or intended for a single rider in any street.

13. <sup>1</sup>[No motor vehicles shall be driven within Cantonment limits at a speed greater than 20 miles per hour and that in the Staff College area

<sup>1</sup> Substituted by Notification No. 914-G., dated the 15th November, 1927, *Gazette of India*, 1927, Pt. II-A., p. 504.

on the main Quetta-Urak road the speed shall be limited to 15 miles per hour. The speed at which a heavy motor vehicle is driven shall not exceed eight miles an hour.]

14. Acetylene gas lamps and other lamps attached to a motor vehicle which throw a light so powerful or intense as to be likely to cause inconvenience to the public shall be adequately hooded or screened.

15. Every person driving a vehicle must be acquainted with the usual traffic signals.

16. Any person who commits a contravention of any of these bye-laws shall on conviction by a Magistrate be punishable with a fine which may extend to one hundred rupees.

[*Gazette of India*, 1927, Pt. II-A, p. 210.]

*No. 3311, dated the 7th November, 1924.*—In exercise of the powers conferred by sub-section (1) of section 284 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Quetta, the Agent to the Governor General and Chief Commissioner is pleased to confirm and publish for general information the following bye-laws, made by the Cantonment Authority, Quetta, under section 282 (15) and 283 (b) of the said Act:—

*Bye-laws applicable to buildings for the manufacture or sale of articles of food or drink intended for human consumption.*

1. No room in the building shall communicate with or be used as a living or sleeping room.

2. Each room shall have one square foot of window space for ten square feet of floor space.

3. All windows shall be glazed and shall open inwards.

4. All openings from the inside to the outside of the building shall be provided with fly proof wire gauze coverings which in the case of windows shall be fixed and in the case of doors shall be fastened to a spring hinged frame.

5. The floor shall be pucca and properly drained: the walls pucca, or plastered and white-washed, and a wooden or plastered ceiling shall be provided.

6. A sink or other place for cleansing the apparatus, etc., used in the business shall be provided at a height of not less than two feet above floor level.

7. Sufficient soakage pits to absorb all sullage water discharged from the building shall be provided outside it and shall be fitted with strainers or grease traps of a pattern approved by the Cantonment Board.

8. Pucca drains of a pattern approved by the Cantonment Board shall be provided to convey non-sullage water discharged from the building to the nearest public drain if within 100 feet of the premises. If no such public drain exists then such arrangements shall be made by the owner or occupant of the building as the Cantonment Board may prescribe.

9. Only the M. E. S. piped water supply shall be used in the building.

10. Any contravention of these bye-laws shall be punishable with a fine which may extend to one hundred rupees and in the case of a continuing contravention with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention.

[*Gazette of India*, 1924, Pt. II-A, p. 373.]

No. 3309, dated the 7th November, 1924.—In exercise of the powers conferred by sub-section (1) of section 284 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Quetta, the Agent to the Governor General and Chief Commissioner is pleased to confirm and publish for general information the following bye-laws made by the Cantonment Authority, Quetta, under section 282 (16) of the said Act:—

*Bye-laws in the matters regarding which conditions may be imposed by licenses granted under section 210 of the Cantonments Act, 1924 (II of 1924).*

1. A license granted under section 210 of the Cantonments Act to a person of the classes named in sub-section 1 (a) to (k), (q) and (r) may contain any conditions which the Cantonment Authority may think fit to impose with respect to the following matters:—

- (a) The medical inspection of the persons engaged in the business, their vaccination and inoculation when necessary, and the cleanliness of their persons and clothing.
- (b) The maintenance in a clean and sanitary condition of the premises where the goods are prepared or sold and their protection against rats and other vermin.
- (c) The vehicles, vessels, coverings, and other apparatus to be used in the business and their maintenance in a clean and sanitary condition.
- (d) The ingredients to be used in the manufacture or preparation of the goods and the places at which and manner in which the goods may be exposed for sale.
- (e) The inspection and marking of the goods, the attachment of labels or other means of identification thereto, the seasons



at which perishable goods may be sold, and the disposal of any goods found to be unwholesome.

- (f) The place at and person by which the license shall be kept and the persons to whom it shall be produced.

2. A license granted under section 210 of the Cantonments Act to a person of the classes mentioned in sub-section (I) (b), (c) and (d) may contain any conditions which the Cantonment Authority may think fit to impose with respect to the following matters in addition to those specified in bye-law 1.

- (a) The number of the animals and the places at which they may be kept.
- (b) The maintenance of the premises in a clean and sanitary condition, and their ventilation and drainage.
- (c) The sources from which the animals may be watered.
- (d) The segregation of sick and diseased animals.
- (e) In the case of slaughter cattle, sheep and goats, the times and places at which slaughtering may be carried out.
- (f) In the case of milch cattle or goats the cleanliness of the animals and of their attendants.

3. A license granted under section 210 (I) (e) of the Cantonments Act may contain any conditions which the Cantonment Authority may think fit to impose with respect to the following matters:—

- (a) The medical inspection (and vaccination and inoculation when necessary) of all persons engaged in the trade.
- (b) The maintenance in a clean and sanitary condition of the washing place used by the licensee.
- (c) The source from which water for washing is to be obtained.
- (d) The separation of clean and soiled clothes and the places at which clothes may be dried.
- (e) The persons by whom and place at which the license shall be kept and the persons to whom it shall be produced.

4. A license granted under section 210 (m) or (n) of the Cantonments Act may contain any conditions which the Cantonment Board may see fit to impose with respect to the following matters:—

- (a) The places at and quantities in which such materials may be stored and the manner of storage.
- (b) The precautions to be taken against fire and for the prevention of danger to life and property.
- (c) The person by whom and the place at which the license shall be kept and the persons to whom it shall be produced.

5. A license granted under section 210 (I) (o) or (p) of the Cantonments Act may contain any conditions which the Cantonment Authority may think fit to impose with respect to the following matters:—

(a) The measures to be taken for regulating the discharge of refuse matter from the premises and for the abatement of nuisances arising therefrom.

(b) The person by whom and the place at which the license shall be kept and the persons to whom it shall be produced.

<sup>1</sup>[6. Any contravention of any conditions in a license issued under any of these bye-laws shall be punishable with a fine which may extend to Rs. 100 and in case of a continuing contravention with an additional fine which may extend to Rs. 20 for every day during which such contravention continues after conviction for the first such contravention.]

[*Gazette of India*, 1924, Pt. II-A, p. 372.]

No. 1163-G., dated the 4th January, 1927.—The following Bye-laws framed by the Cantonment Authority, Quetta, under section 282 (2I) of the Cantonments Act, 1924, as amended by the Cantonments (Amendment) Act, 1925, having been approved and confirmed by the Hon'ble the Agent to the Governor General and Chief Commissioner in Baluchistan in exercise of the powers conferred by sub-section (I) of section 284 of the said Act, are hereby published for information.

The Bye-laws will come into force from the date of their publication in the *Gazette of India*.

#### GRAZING OF CATTLE.

##### *Bye-laws.*

1. No cattle shall graze in the Cantonment Area under the control of the Cantonment Authority without a pass to be obtained from the Cantonment Authority.

2. Passes will be granted by the Executive Officer on payment in advance of the following fees:—

	Fee for the period from 1st April to 31st March or part thereof.
	Rs. A. P.
Buffalo . . . . .	9 0 0
Cow or Bullock . . . . .	4 8 0
Horse . . . . .	4 8 0
Pony . . . . .	3 8 0
Donkey . . . . .	3 0 0
Goat or Sheep . . . . .	2 0 0
Grass Cutter . . . . .	9 0 0

<sup>1</sup> Added by Notification No. 833-G., dated the 2nd November, 1926. *Gazette of India*, 1926, Pt. II-A., p. 409.

Calves and kids will be charged at full rate.

3. No grazing will be permitted on the following roads: Lytton Road; Gloucester Road; Queens Road; Pretoria Road and Hanna Road.

4. Grazing at night is prohibited.

5. Owners or persons in charge of cattle grazing in Cantonments:—

(i) Shall keep them under the proper care and control of an adult;

(ii) Shall report the occurrence of any disease amongst their cattle. On receipt of any such report the Executive Officer may, in order to prevent the spread of the disease, restrict the areas on which cattle, for which passes have been taken out, may graze. When the Executive Officer restricts the area in this manner the permission to graze given by the pass shall apply to the restricted area only;

(iii) Shall produce their passes when called upon to do so by any authorised servant of the Cantonment Authority. On their failure to do so the cattle shall be liable to be impounded.

6. If any damage is done to roadside or other trees the grazing pass may be suspended or cancelled by the Executive Officer.

7. Any person committing a breach of any of these bye-laws shall be liable on conviction by a Magistrate to a fine which may extend to Rs. 50 and if the breach is a continuing one to an additional fine which may extend to five rupees for every day after conviction during which the breach continues.

[*Gazette of India*, 1927, Pt. II-A, p. 47.]

No. 832-G., dated the 2nd November, 1926.—The following bye-laws framed by the Cantonment Authority, Quetta, under section 282 (29) of the Cantonments Act, 1924, as amended by the Cantonments (Amendment) Act, 1925, having been approved and confirmed by the Hon'ble the Agent to the Governor General and Chief Commissioner under section 284 (1) of the said Act, are hereby published for information.

The bye-laws will come into force from the date of their publication in the *Gazette of India*.

APPOINTMENT OF AGENTS BY ABSENT OWNERS OF BUILDINGS OR LAND.  
*Bye-laws.*

1. Every owner of a building or land situated within the limits of Quetta Cantonment, whose ordinary residence is outside the Cantonment or Municipal limits or who being ordinarily resident within the Cantonment or Municipal limits is absent therefrom for a period ex-

ceeding 30 consecutive days, shall within 30 days of the issue of a notice by the Executive Officer directing him to do so, appoint some person residing within the Cantonment or Municipal limits to act as his agent for all the purposes of the Cantonment Act, 1924, or any bye-law, rule or order made thereunder.

2. Any person who is bound by bye-law No. 1 to appoint an agent shall intimate to the Executive Officer in writing the name of such agent, and when such agent shall have intimated to the Executive Officer in writing his willingness to serve as such, the owner shall be deemed to have complied with bye-law No. 1.

3. When an agent has been appointed in pursuance of these bye-laws, any notice served upon him and any demand for payment of its dues made from him by the Board shall be deemed to have been served upon his principal and shall have effect as regards the principal as if the notice had been served upon or the demand had been made from the principal.

4. Any person who fails to appoint an agent as required by these bye-laws shall on conviction by a Magistrate be liable to punishment with a fine which may extend to Rs. 20 and in case of continuing failure with an additional fine which may extend to Rs. 5 for every day during which such failure continues after conviction for the first such failure.

[*Gazette of India*, 1926, Pt. II-A, p. 409.]

*No. 1162-G., dated the 11th July, 1927.*—The following bye-laws framed by the Cantonment Authority of Quetta under section 282 (39) of the Cantonments Act, 1924 (II of 1924) as amended by the Cantonments (Amendment) Acts, 1925 and 1926 having been approved and confirmed by the Hon'ble the Agent to the Governor General and Chief Commissioner in Baluchistan under section 284 (1) of the said Act are hereby published for information.

The bye-laws will come into force from the date of their publication in the *Gazette of India*.

#### CERTIFIED COPIES OF CANTONMENT RECORDS.

##### *Bye-laws under section 282 (39).*

1. Certified copies of Cantonment records will be supplied to inhabitants of the Cantonment and to Cantonment servants on payment of the prescribed fees subject to the following conditions:—

All applications for copies shall be made on paper.

2. Any inhabitant of the Cantonment shall be entitled to obtain copies of:—

- (i) All resolutions of the Cantonment Board.
- (ii) All final orders passed by Cantonment Officials on any matter which affects the applicant for a copy of such order and so much of any recommendations made by some other person as is necessary to explain the meaning of such final orders.
- (iii) Entries in the Register of Births and Deaths.
- (iv) Plans of buildings and Cantonment Survey maps.
- (v) Registers showing rights and titles connected with immovable property.

3. A Cantonment servant shall be entitled to receive copies of all final orders passed by superior officials that concern him and also of all entries in his Service Book and Character Roll.

4. Copies of no other Cantonment Records shall ordinarily be given except those detailed above.

5. All copies will be certified by the Head Clerk.

6. The Executive Officer will decide which person shall be deputed to make copies.

7. The fees for copies supplied shall be as follows:—

(a) *Ordinary fee*—

First two hundred words or less, English, As. 12 and Vernacular As. 6.

Every additional 100 words or portion thereof, English As. 6 and Vernacular As. 3.

For tabulated statements—Double above rates.

(b) *Fees for maps and plans*.—For each sq. ft. of tracing paper used or portion thereof Re. 1. If however the Executive Officer considers that in view of the laboriousness of the work a special fee should be charged, he shall fix a special rate not exceeding for each sq. ft. Rs. 5.

(c) *Urgent fees*.—Which shall entitle the applicant to precedence over all other copying work Re. 1.

(d) *Search fees*.—For any record concerning which sufficient information has not been supplied to enable the record to be traced easily, As. 8.

(e) *Other fees*.—For postal and other expenses actually incurred—the amount actually spent on behalf of the applicant.

8. Of these fees in the cases of (a), (b) and (c), 1/3rd shall be paid to the person deputed to make copies, 1/6th to the attesting official and ½ shall be credited to the Cantonment Fund as record fee, fees for paper, etc. In the case of (d) and (e) the whole fee shall be credited to the Cantonment Fund.

9. The whole of the fees as received will be credited in the first instance to the Cantonment Fund and at the end of each month will be distributed in accordance with bye-law No. 8.

10. The Executive Officer shall decide if any person is entitled to receive any copy under these directions and may by special order direct that copies of documents other than those specified above may be granted to applicants for reasons to be recorded in writing.

[*Gazette of India*, 1927, Pt. II-A, p. 326.]

#### INDIAN SUCCESSION ACT, 1925.

*Extra Assistant Commissioner, Quetta, empowered as District Court.*

No. 203, dated the 7th January, 1902.—Under section 26 (1) of the Succession Certificate Act (VII of 1889)<sup>1</sup>, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Hon'ble the Agent to the Governor General is pleased to invest, and hereby invests, the Extra Assistant Commissioner, Quetta, with the functions of a District Court within the limits of the Quetta District.

[*Gazette of India*, 1902, Pt. II, p. 52.]

*Assistant Political Agent, Kohlu and Nasirabad District, empowered as District Court.*

No. 1134-Z., dated the 7th August, 1908.—Under section 26 (1) of the Succession Certificate Act, 1889 (VII of 1889)<sup>1</sup>, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Hon'ble the Agent to the Governor General is pleased to invest the Assistant Political Agent, Kohlu and Nasirabad District, with the powers of a District Court within the limits of that district.

[*Gazette of India*, 1908, Pt. II, p. 1288.]

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<sup>1</sup> Repealed, except section 13, by the Indian Succession Act, 1925 (XXXIX of 1925).



**VI.—Orders under Regulations applied.**

BRITISH BALUCHISTAN FOREST REGULATION, 1890.

*Constitution of State Forests.*

No. 5776, dated the 22nd October, 1890.—Not reprinted.

[*Gazette of India*, Pt. II, 1890, p. 684.]

No. 407, dated the 20th January, 1891.—Not reprinted.

[*Gazette of India*, Pt. II, 1891, p. 61.]

No. 3502, dated the 6th July, 1893.—Not reprinted.

[*Gazette of India*, Pt. II, 1893, p. 596.]

No. 8531, dated the 10th December, 1898.—Not reprinted.

[*Gazette of India*, Pt. II, 1898, p. 1384.]

No. 1940, dated the 5th April, 1904.—Not reprinted.

No. 968-Z., dated the 25th June, 1904.—Not reprinted.

[*Gazette of India*, Pt. II, 1904, pp. 419 and 748.]

No. 3575, dated the 5th August, 1905.—Not reprinted.

No. 1155-Z., dated the 26th August, 1905.—Not reprinted.

[*Gazette of India*, Pt. II, 1905, pp. 893 and 1105.]

No. 5213, dated the 6th November, 1906.—Not reprinted.

[*Gazette of India*, Pt. II, 1906, p. 1480.]

No. 6033, dated the 12th November, 1908.—Not reprinted.

[*Gazette of India*, Pt. II, 1908, p. 1721.]

No. 4560, dated the 23rd September, 1909.—(As amended by  
No. 5019, dated the 16th October, 1909.)—Not reprinted.

[*Gazette of India*, Pt. II, 1909, pp. 1549 and 1674.]

No. 575-F., dated the 13th January, 1911.—(As amended by  
No. 231-F., dated the 15th August, 1911.)—Not reprinted.

[*Gazette of India*, Pt. II, 1911, pp. 101 and 1315.]

BRITISH BALUCHISTAN CIVIL JUSTICE REGULATION, 1896.

See "Orders relating to Courts", *supra*, pages 57 to 80.



BRITISH BALUCHISTAN LAWS REGULATION, 1913.

*Formation of Districts and Tahsils.*

No. 4824, dated the 16th October, 1903.—In exercise of the powers conferred by section 3 of the 'Baluchistan Agency Laws Law, 1890, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to divide the territories administered by him as such Agent into [six]<sup>2</sup> districts, namely:—

- (1) The Quetta District,
- (2) The Zhob District,
- <sup>3</sup>[(3) The Bolan, Nushki and Kachhi Railway District,]
- <sup>3</sup>[(4) The Kohlu and Nasirabad District,]
- (5) The Loralai District,
- <sup>2</sup>[(6) The Chagai District, which includes the Nushki, Chagai and Western Sinjerani Country,]

and the above-named districts into the following tahsils, respectively, namely:—

District.	Tahsils.
Quetta . . . . .	Quetta.
Zhob . . . . .	(1) Fort Sandeman. (2) Hindubag. <sup>4</sup> (3) Killa Saifulla.
<sup>*</sup> [Bolan, Nushki, and Kachhi Railway . . . . .]	(1) Kachhi* Railway Tahsil. (2) Bolan and Nushki† Railway Tahsil.]
<sup>*</sup> [Kohlu and Nasirabad . . . . .]	(1) Kohlu Tahsil. (2) Kohlu‡ Railway Tahsil. (3) Nasirabad Tahsil.]
Loralai . . . . .	(1) Musakhel. (2) Bori. (3) Barkhan. (4) Sinjawi.
<sup>*</sup> [Chagai . . . . .]	(1) Nushki. (2) Dalbandin.]

[*Gazette of India*, 1903, Pt. II, p. 1152.]

\* For Railway from Sibi to Nasirabad.

† This is for the Railway line east of the boundary of the Nushki District.

‡ For Railway from Nari to Spintangi.

<sup>2</sup> See now the British Baluchistan Laws Regulation, 1913 (II of 1913).

<sup>3</sup> Substituted and inserted by Notification No. 590-J., dated the 23rd May, 1929, *Gazette of India*, 1929, Pt. II-A, p. 234.

<sup>4</sup> Substituted by Notification No. 220-P., dated the 17th February, 1927, *Gazette of India*, 1927, Pt. II-A, p. 130.

<sup>\*</sup> Entry No. (2) omitted and entries renumbered by Notification No. 129-J., dated the 2nd March, 1915, *Gazette of India*, 1915, Pt. II, p. 565.

BALUCHISTAN AGENCY TERRITORIES.—(VI.—Orders under 165  
Regulations applied.)

EXCISE REGULATION, 1915.

*Appointment of Collector.*

No. 3759-R., dated the 25th July, 1928.—In exercise of the powers conferred on him by section 7 (b) of the Excise Regulation, 1915 (I of 1915), the Hon'ble the Agent to the Governor General is pleased to appoint the officer for the time being holding the office of the Assistant Political Agent, Quetta, to exercise all or any of the powers and to perform all or any of the duties conferred and imposed on a Collector by or under the abovementioned Regulation in subordination to the Collector.

[*Gazette of India*, 1928, Pt. II-A, p. 256.]

*Appointment of Excise Officers.*

No. 1343-R., dated the 28th April, 1915.—In exercise of the powers conferred on him by section 7 (c) of the Excise Regulation, 1915 (I of 1915), as in force in the territories administered by the Hon'ble the Agent to the Governor General as such Agent, the Hon'ble the Agent to the Governor General is pleased to appoint the officers specified in column I of the annexed table, in virtue of their offices, to be officers of the Excise Department of the classes specified opposite those officers in column II of that table, in the local areas specified opposite those officers, in column III of that table, respectively:—

I. Designation of Officers.	II. Class.	III. Local area.
1. Distillery Inspector, Quetta . . .	1st class .	Within the limits of the Quetta Municipality.
2. Excise Inspector, Quetta-Pishin, Bolan and Chagai.	Do. .	Within the limits of Quetta, Zhok, Bolan Pass and Nushki and Kachhi Railway Tahsil.
3. Excise Inspector, Sibi and Loralai .	Do. .	Within the limits of Kohlu, Nasirabad and Loralai District ]

[*Gazette of India*, 1915, Pt. II, p. 962.]

*Conferment on officers of powers of Excise officers.*

No. 1344-R., dated the 28th April, 1915.—In exercise of the powers conferred on him by section 7 (d) of the Excise Regulation, 1915 (I of 1915), as in force in the territories administered by the Hon'ble the Agent to the Governor General as such Agent, the Hon'ble the Agent to the Governor General is pleased to order that the officers specified in

<sup>1</sup> Substituted by Notification No. 1461-R., dated the 21st March, 1928, *Gazette of India*, 1928, Pt. II-A, p. 110.

column I of the annexed table shall exercise, in virtue of their offices, the powers of Excise Officers of the classes specified opposite to those officers in column II of that table, in the local areas specified opposite those officers in column III of that table, respectively:—

I. Designation of Officers.	II. Class.	III. Local area.
1. Supervising Tappedars in the Nasirabad Tahsil.	2nd class	Within the limits of their respective charges.
2. Tappedars and Patwaris in the Nasirabad Tahsil.	3rd class	Ditto.
3. The Duffedar in charge of the Mammal Salt Tract.	Do.	Within the limits of the Nasirabad Tahsil.
4. The Thanadar of the Rindli Thana .	Do.	Within the limits of the Bolan Tahsil.

[Gazette of India, 1915, Pt. II, p. 962.]

*Conferment on officers of powers of Excise officers.*

No. 2662-R., dated the 23rd August, 1916.—In exercise of the powers conferred on him by section 7 (d) of the Excise Regulation, 1915 (I of 1915), as in force in the territories administered by the Hon'ble the Agent to the Governor General as such Agent, the Hon'ble the Agent to the Governor General is pleased to order, in continuation of his notification<sup>1</sup> No. 1344-R., dated 28th April, 1915, that the officers specified in column I of the annexed table shall exercise, in virtue of their offices, the powers of Excise officers of the classes specified opposite those officers in column II of that table, in the local areas specified opposite those officers in column III of that table, respectively:—

I. Designation of Officers.	II. Class.	III. Local area.
1. Duffedar of the Gandakha Levy Thana in the Nasirabad Tahsil.	2nd class	Within the limits of the Gandakha Levy Thana.
2. Levy Muharir of the Gandhakha Levy Thana.	Do.	Ditto.
3. Duffedar of the Usta Levy Thana .	Do.	Within the limits of the Usta Levy Thana.
4. Levy Sowars of the Gandhakha Levy Thana.	3rd class	Within the limits of the Gandakha Levy Thana.
5. Levy Sowars of the Usta Levy Thana	Do.	Within the limits of the Usta Levy Thana.

<sup>1</sup> Printed immediately above.

No. 2663-R.—This office notification No. 1432-R., dated the 22nd April, 1916, is hereby cancelled.

[*Gazette of India*, 1916, Pt. II, p. 1869.]

*Rates of still-head duty on spirit removed from Quetta Distillery.*

No. 151-R., dated the 10th January, 1923.—In exercise of the powers conferred by section 24 of the Excise Regulation, 1915 (I of 1915), as in force in the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to direct that on and after the 1st April, 1923, the following shall be the rates of still-head duty to be paid in respect of spirit removed from the distillery at Quetta:—

	Per gallon.
	Rs. A. P.
(1) For consumption in the Quetta town—	
10 U. P. . . . .	9 9 0
20 U. P. . . . .	8 8 0
(2) For supplies in bond for consumption in the <sup>1</sup> [Nasirabad Sub-Division and Kachhi Railway Tahsil]—	
10 U. P. . . . .	6 2 0
20 U. P. . . . .	5 8 0
(3) For consumption in all other areas—	
10 U. P. . . . .	7 12 0
20 U. P. . . . .	7 0 0

Provided:—

(1) that in the case of the spirit issued from the distillery direct to special permit holders still-head duty shall be levied at Rs. 13-6-0 and Rs. 12-1-0 per gallon of spirit 10 and 20 U. P. respectively; and

(2) that in the case of spirit 20 U. P. specially manufactured for and issued direct from the distillery to Indian troops, still-head duty shall be levied at Rs. 7 per gallon.

[*Gazette of India*, 1923, Pt. II, p. 79.]

*Maximum rates for retail sale of country spirit.*

No. 971, dated the 12th March, 1927.—In exercise of the powers vested in him by Rule 24 of the rules promulgated with Notification <sup>2</sup>No. 496-R., dated the 27th January, 1911, by the Hon'ble the Chief Commissioner in Baluchistan, the Revenue Commissioner is pleased to prescribe the following maximum rates at which retail vendors in the

<sup>1</sup> Substituted by Notification No. 1334-R., dated the 16th March, 1928, *Gazette of India*, 1928, Pt. II-A, p. 105.

<sup>2</sup> Printed in "Local Rules and Orders made under enactments applying to Baluchistan", 1926, p. 381.

distillery area will be permitted to sell country spirit on or after the 1st April, 1927:—

	10° U. P.			20° U. P.	
	Plain.	Flavoured.	Specially spiced.	Plain.	Flavoured.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Quetta town and other areas except the <sup>1</sup> / <sub>4</sub> Nasirabad Sub-Division and Kachhi Railway Tahsil]—					
Per each dram . . . . .	0 4 9	0 5 0	0 5 3	0 4 6	0 4 6
Per half dram . . . . .	0 2 6	0 2 6	0 2 9	0 2 3	0 2 3
2. <sup>1</sup> / <sub>4</sub> Nasirabad Sub-Division and Kachhi Railway Tahsil]—					
Per each dram . . . . .	0 4 0	0 4 0	0 4 3	0 3 9	0 3 9
Per half dram . . . . .	0 2 0	0 2 0	0 2 3	0 2 0	0 2 0

This office Notification No. 153, dated the 10th January, 1923, is hereby cancelled.

[*Gazette of India*, 1927, Pt. II-A, p. 167.]

*Procedure for payment of still-head duty on spirit removed from Quetta Distillery.*

No. 3968-R., dated the 19th December, 1916.—In exercise of the powers conferred by section 62 (2) (g) of the Excise Regulation, 1915 (I of 1915), as in force in the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to prescribe the following procedure for the payment of still-head duty leviable in respect of spirit removed from the distillery at Quetta:—

1. In the case of spirit transported in bond for consumption in the Nasirabad and Railway Sub-Division, the still-head duty shall be leviable before the spirit is removed from the bonded warehouse at Jhatpat and not at the time of its removal from the distillery at Quetta. In all other cases the still-head duty shall be paid before spirit is removed from the distillery.

<sup>1</sup> Substituted by Notification No. 1336, dated the 16th March, 1928, *Gazette of India*, 1928, Pt. II-A, p. 108.

2. The still-head duty leviable shall be paid into the Quetta Treasury, or the most convenient sub-treasury, or where there is no sub-treasury to the person duly appointed to receive it by the Political Agent or Deputy Commissioner of the district. No payment shall, however, be received for the issue of spirit in quantities of less than 5 gallons at a time from the distillery at Quetta, or less than 2 gallons at a time from the bonded warehouse at Jhatpat, nor for a fraction of a gallon.

3. The presentation of a receipt in the sub-joined form at the distillery at Quetta, or the bonded warehouse at Jhatpat, shall be a sufficient authority for the issue of the spirit covered by such receipt.

THE RECEIPT FORM.

*Receipt for duty on country spirit to be removed from the*  
*Quetta Distillery*  
*Jhatpat Bonded Warehouse*

No.

Date

Received from

the sum of Rs.

being still-head duty on      gallons of country spirit as detailed  
below :—

Details of spirit :—

Treasury Officer of Quetta  
Sub-Treasury Officer of  
Designation of other authorised officer

Seal.

[*Gazette of India*, 1916, Pt. II, p. 2605.]

*Brewery Rules.*

No. 4775, dated the 22nd July, 1891.—In exercise of the powers conferred by section 10 of Act XXII of 1881<sup>1</sup> (as amended by Act XIII of 1890) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to sanction the following rules which have been made by the Chief Revenue Authority in the aforesaid territories under sections 8 and 55 of the aforesaid Act, and they are hereby published for general information :—

1. A license to work a brewery in Baluchistan, granted under section 5 of Act XXII of 1881, shall be given in the form annexed, the form (No. XIII) prescribed under Act X of 1871 being hereby superseded.

<sup>1</sup> See now the Excise Regulation, 1915 (I of 1915).

2. Applications for licenses shall be made to the Political Agent of the district in which it is proposed to work the brewery.

3. A brewer licensed to work a brewery may, if it be thought necessary, be required to deposit, as security for abstention from all acts involving forfeiture of the license, a sum not exceeding Rs. 5,000, the whole of which, or such portion as the Chief Revenue Authority may determine, shall be liable to forfeiture in the event of any breach of these rules or of the conditions of his license, involving forfeiture of the license, being proved. On the license expiring otherwise than by forfeiture, the sum so deposited shall be returned by the Political Agent.

4. Such deposit will further be at the disposal of the Political Agent for the discharge of all payments, whether of excise duty or of fines or forfeitures, to which the brewer may be liable by law, by these rules, or by the conditions of his license or by any engagement into which he may have entered.

5. The Political Agent of the district in which a brewery is licensed, or any officer whom he may appoint for the purpose, shall be the officer of Excise in charge of the brewery, and a subordinate officer or officers may also be stationed at that brewery to check the outturn, issues, and receipts of fermented liquors, and to see that the provisions of the Excise Act and of these rules are duly complied with. Such subordinate officers shall be paid by Government at a rate or rates to be determined by the Chief Revenue Authority, and shall be appointed and removed by the Political Agent of the district.

6. Every brewer must provide suitable accommodation within the brewery for any Excise Officer or Officers who may be stationed at the brewery under the provisions of the preceding rule. The officer or officers thus appointed shall keep such accounts of the outturn, issues, receipts, and returns of fermented liquors, and of the Excise duty thereon payable, as may from time to time be prescribed by the Political Agent, subject to the approval of higher authority.

7. Every brewer must provide and maintain sufficient and just liquid Imperial measures and other necessary and reasonable appliances to enable the officers to take account of, or check by gauge or measure, all casks, jars, bottles, or other vessels issuing from the brewery, and must render all reasonable assistance to the officers in the gauging, measuring, or check of such vessels.

8. Issues of fermented liquor may only be made from a brewery between the hours of 7 A.M. and 7 P.M., between March 1st and October 31st, and between the hours of 8 A.M. and 6 P.M., between the 1st November and the last day of February.

9. No fermented liquor shall be issued from a brewery until it has paid duty at the rate leviable under the <sup>1</sup>Indian Tariff Act, 1882, on like liquor imported by sea, except liquor merely transferred from one brewery to another under Rule 10 following <sup>2</sup>[or liquor exported to the Bombay Presidency under Rule 11], and malt liquor supplied to the Commissariat Department for issue to troops, which have been exempted by the Agent to the Governor General's notification <sup>3</sup>No. 4774, dated 22nd July, 1891. The approximate original specific gravity of the worth of all fermented liquor must be declared by the brewer before issue, and the Political Agent or officer in charge of the brewery may either accept such declaration or may cause the original gravity to be ascertained by test or analysis, and may take samples, of the liquor not exceeding two quart bottles from each cask for the purpose. Samples thus taken shall be sealed by the Excise Officer and brewer before leaving the brewery, and the brewer in charge may, as of right, be present either in person or by agent at any examination or analysis that may be made.

10. Liquor issued from a licensed brewery merely for transmission to another licensed brewery may be allowed to travel in bond. The tap and bung-hole of each cask shall be sealed by the Excise Officer at the brewery. A declaration of the quantity of liquor thus forwarded, its original specific gravity, and its place of destination must be furnished to the officer in charge of the brewery, who will, if satisfied that the transfer is being made in good faith, grant to the brewer a pass to cover transport of the same, and forward a duplicate of the pass to the Collector or Political Agent of the district for which it is destined.

<sup>2</sup>[11. Any person may export in bond malt liquor manufactured at a brewery in Baluchistan to any place in the Bombay Presidency as hereinafter provided.

(1) When any person desires to export in bond liquor manufactured at a brewery in Baluchistan, he shall present a written application in Form III to the Political Agent (or other officer appointed by him on this behalf) of the District in which the brewery of manufacture is situated.

The application must specify:—

- (i) The name of the consignor.
- (ii) The name of the consignee.
- (iii) The description, and quantity of the liquor to be exported.

<sup>1</sup> See now the Indian Tariff Act, 1894 (VIII of 1894), by which the Act of 1882 has been repealed.

<sup>2</sup> Inserted, and rules re-numbered by Notification No. 372-R., dated the 30th January, 1923, *Gazette of India*, 1923, Pt. II, p. 226.

<sup>3</sup> *Gazette of India*, 1891, Pt. II, p. 428. Has lapsed.



(2) Every application must be accompanied by:—

- (i) An import pass from the Collector (or other officer specially appointed in this behalf) of the district to which the liquor is to be exported authorising the import of liquor; and
- (ii) a duly executed special bond in Form IV or a reference to a general bond in Form V.

NOTE.—The import pass referred to in clause 1 of this sub-rule may be a general pass covering all consignments for one year.

(3) The pass granted by the Political Agent (or any other officer specially appointed by him in this behalf) of the exporting district shall be in triplicate in Form VI.

One copy of the pass shall be delivered to the exporter; a second forwarded to the Collector (or other officer specially appointed in this behalf) of the district to which the liquor is to be taken and the third retained for record.

NOTE.—This will usually be the officer in charge of the bonded warehouse to which the liquor is consigned.

Within a reasonable time to be fixed by the Political Agent (or other officer specially appointed by him in this behalf) of the exporting district and specified in the bond or pass the importer shall produce before the Political Agent of the exporting district his copy of the pass enclosed with a certificate signed by the Collector (or other officer specially appointed in this behalf) of the importing district certifying the due arrival, or otherwise, of the liquor at its destination.

(4) On a written application being made to the collector of the exporting district establishing sufficient cause for the grant of an extension of time, or on the production before him of a certificate from the Collector (or other officer specially appointed in this behalf) of the district of destination to the effect that there are good and sufficient reasons for extending the currency of the pass or bond, it shall be competent for the Political Agent of the exporting district, if he thinks fit, to extend the time specified in the pass or bond for the due arrival of the liquor at its destination.

(5) In the case of liquor exported under special bond the Political Agent of the exporting district or the officer specially appointed by him shall discharge the bond on receipt of the pass and certificate mentioned in sub-rule 3, provided that none of the conditions of the bond have been infringed. The duty on consignments issued under a general bond shall be written off on receipt of the pass and certificate mentioned above, provided that none of the conditions of the bond have been infringed.

(6) If the certificate be not received within the time mentioned in the bond or pass, or if on receipt of the certificate it appears that any of the conditions of the bond have been infringed, the Political Agent of the

exporting district shall forthwith take necessary steps to recover from the executant or his surety the penalty due under the bond.

(7) On each cask in which liquor is to be exported, shall be painted in bold type the serial number of such cask and its full capacity.

(8) A shortage of  $\frac{1}{2}$  per cent. will be allowed for wastage in transit. Duty will be charged on any excess found at the place of destination.]

12. On payment of the prescribed duty, or, in the case of liquor exempted from duty by the notification referred to in Rule 9, after satisfying himself that it is really intended to be supplied to the Commissariat Department for issue to troops, under a contract executed on or before 28th March, 1890, the Political Agent or other officer in charge of the brewery shall grant a pass in the form annexed authorising the brewer to remove and despatch from the brewery liquor intended for consumption. The agency or other destination of liquor thus removed must be declared before removal for specification in the pass, but the destination may be subsequently altered and the pass renewed by the officer in charge of the brewery for any sufficient reason. A duplicate of such original or renewed pass when granted shall be forwarded by the officer of Excise in charge of the brewery to the Political Agent or Collector of the district for which the liquor is destined.

13. The duty realized on fermented liquor returned unsold to the brewery of issue, or any brewery worked *bonâ fide* in the same interest, will be refunded, provided that original specific gravity of liquor thus returned be declared or be found to accord with the gravity recorded at the time of issue. In the event of a return being made to a brewery other than the brewery of issue, the brewer claiming a refund must produce a certificate as to the quantity and original specific gravity of the beer issued, and as to the payment of the duty thereon, from the Excise Officer in charge of the brewery of issue, with such other evidence as may be necessary to support the claim.

14. With the sanction of the Revenue Commissioner, payments and refunds of duty in any licensed brewery may be made by book credit in any account kept for the purpose by the Excise Officer in charge of or the Excise Officer stationed at the brewery, on the understanding that the account thus maintained be settled quarterly and that any sum found to be due by the brewer be paid into the nearest Government Treasury within one week of the expiration of the quarter.

15. The following books must be kept in each brewery for inspection and verification by the Excise Officers of Government:—

- (a) A book showing the quantity of fermented liquor manufactured and issued from the brewery, with a detail of the places to which liquor issued has been consigned and the names of the consignees.

(b) A book showing returns of fermented liquor made at the brewery, or receipts of liquor, whether imported or Baluchistan brewed, with a detail of the persons and places by whom and from which liquor has been returned or received. This book should show in a separate column any imported beer received at the brewery on which duty has been paid at the port of landing and on which duty is not again chargeable under these rules.

16. A quarterly account shall be prepared by every brewer, and shall be forwarded by him to the Political Agent of the district on or before the 15th day of each of the months of January, April, July and October. Such account shall show the total quantity of liquor issued during the preceding quarter, the quantity on which duty was payable, the amount of duty paid either in cash or by book credit as provided for by Rule 13, the quantity of liquor returned unsold to the brewery, and the amount claimed or received as a refund of duty actually paid.

17. Any brewer attempting to defraud the revenue by removing from the brewery fermented liquor liable to duty on which duty has not been paid, or by rendering false returns of the outturn, issues, returns, and receipts of fermented liquor, or by making false declarations as to the original specific gravity of liquor issued from the brewery, shall be liable to the forfeiture of the whole, or such portion as the Chief Revenue Authority may determine, of the sum deposited by him as security under Rule 3, in addition to any punishment to which he may be liable under the Excise Act.

18. The Excise Officer or Officers stationed at a brewery shall be allowed free access at any time of the day, and, if specially authorised by the Political Agent or other officer in charge of the brewery, at any time during the night to every part of the brewery premises for purposes of inspection or for the performance of their excise duties. The Political Agent or other officer placed by him in charge of the brewery shall be allowed free access to every part of the premises at any hour of the day or night.

#### <sup>1</sup>FORM OF BREWERY LICENSE.

*License to work a brewery under section 5 of Act XII of 1896.*

License to work a brewery for the manufacture of malt liquors of any description according to the European method at \_\_\_\_\_ in the district of \_\_\_\_\_ is hereby granted to \_\_\_\_\_ subject to the conditions prescribed in the Rules made by the Chief Revenue Authority under sections 8 and 55 of Act XXII of 1881 as amended by \_\_\_\_\_

<sup>1</sup> Substituted by Notification No. 4455, dated the 4th October, 1906. *Gazette of India*, 1906, Pt. II, p. 1337.

Act XIII of 1890 (corresponding to sections 9 and 65 of the Excise Act XII of 1896) regarding the time and manner of the issue and return of liquor from and to a brewery, and the payment or refund of excise duty, to such other rules for the security of public revenue as may be hereafter made and issued under the same authority, and to the conditions hereinafter specified, the infraction of any of which rules and conditions shall entail forfeiture of license.

1. No attempt shall be made to extract spirit from the grains or refuse of the brewery unless the brewer also holds a license to possess and work a distillery.
2. No wholesale vend of malt liquor shall be made at the brewery without a wholesale license, or retail vend without a retail license.
3. No malt liquor shall be sold or given from the brewery to European soldiers or non-commissioned officers whether with their regiments or on staff or civil employ, without written permission of the Officer Commanding or other official superior.
4. The brewer shall deposit any sum not exceeding Rs. 5,000 that may be required by the Collector under the orders of the Chief Revenue Authority as security for abstention from any attempt to defraud the revenue by removing from the brewery liquor liable to duty on which duty has not been paid, or by rendering false returns of the outturn, issues and receipts of liquor, or from any act involving forfeiture of license, and the whole or such portion of the above sum as the Chief Revenue Authority may determine shall be liable to forfeiture in the event of any attempt to defraud the revenue or of the intentional commission of any act involving forfeiture of the license being proved. On the license expiring otherwise than by forfeiture, the sum so deposited shall be returned by the Collector.
5. Such deposit shall further be at the disposal of the Collector for the discharge of all payments, whether of excise duty or of fines or forfeitures, to which the brewer may be liable by law, by these rules, or by the conditions of this license.
6. The brewer shall provide suitable accommodation within the brewery for any Excise Officer or Officers who may be there stationed to check the outturn, issues and receipts of fermented liquors, and to see that the provisions of the Excise Act and of the rules framed under it are duly complied with.
7. The Excise Officer or Officers stationed at a brewery shall be allowed free access at any time of the day, and, if specially authorised by the Collector or other officer in charge of the brewery, at any time during the night, to every part of the brewery premises for purposes of inspection, or for the performance of excise duties. The Collector or

other officer placed by him in charge of the brewery shall be allowed free access to every part of the premises at any hour of the day or night.

8. The brewer shall provide and maintain sufficient and just liquid Imperial measures and other necessary and reasonable appliances to enable the officers to take account of, or check by gauge or measure, all casks, jars, bottles, or other vessels issuing from the brewery, and must render all reasonable assistance to the officers in the gauging, measuring, or check of such vessels.

9. The brewer shall maintain the following books:—

(a) A book showing the quantity of fermented liquor manufactured and issued from the brewery, with a detail of the places to which liquor issued has been consigned, and the names of the consignees.

(b) A book showing returns of fermented liquor made at the brewery or receipts of liquor, whether imported or Baluchistan brewed, with a detail of the persons and places by whom and from which liquor has been returned or received. This book should show, in a separate column, any imported beer received at the brewery on which duty has been paid at the port of landing, and on which duty is not again chargeable under these rules.

10. With the sanction of the Revenue Commissioner, payments and refunds of duty in any licensed brewery may be made by book credit in any account kept for the purpose by the Excise Officer in charge of or the Excise Officer stationed at the brewery, on the understanding that the account thus maintained be settled quarterly and that any sum found to be due by the brewer be paid into the nearest Government Treasury within one week of the expiration of the quarter.

11. A quarterly account shall be prepared by every brewer, and shall be forwarded by him to the Collector of the district on or before the 15th day of each of the months of January, April, July, and October. Such account shall show the total quantity of liquor issued during the preceding quarter, the quantity on which duty was payable, the amount of duty paid either in cash or by book credit, the quantity of liquor returned unsold to the brewery, and the amount received as a refund of duty actually paid. Any other returns regarding the outturn and receipts of liquor at the brewery, or the payment or refund of excise duty that may from time to time be prescribed or required under the orders of the Chief Revenue Authority, shall be promptly and punctually furnished.

FORM I.

*Draft form of pass for removal from a brewery of malt liquor which has paid duty under Rule 11, or has been exempted from duty by Notification No. 4774, dated 22nd July, 1891.*

Pass from the licensed brewery at \_\_\_\_\_ in the district of \_\_\_\_\_  
for despatch to \_\_\_\_\_ at \_\_\_\_\_ in the district of \_\_\_\_\_ the  
undermentioned quantity of malt liquor (upon which the legal duty of  
\_\_\_\_\_ has been paid), or which is to be supplied to the Commissariat  
Department for issue to troops under a contract executed on or before  
28th March, 1890.

Description of malt liquor.	Original specific gravity.	Quantity. (number of gallons).	Number of casks in which liquor is contained	Amount of duty paid.

This pass will continue in force for \_\_\_\_\_ days from this date.

District

Date

}

*Political Agent or Excise Officer.*

FORM II.

*Draft form of pass to remove malt liquors without payment of duty under Rule 10.*

Pass from the licensed brewery at \_\_\_\_\_ in the district of \_\_\_\_\_ for  
despatch in bond to the brewery at \_\_\_\_\_ in the district of \_\_\_\_\_ the

undermentioned quantity of malt liquor of an approximate original specific gravity of Imperial gallons contained in casks.

This pass will continue in force for days from this date.

District

Date

*Political Agent or Excise Officer.*

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<sup>1</sup>FORM III.

No.———. Dated———.

To

The Political Agent,

SIR,

Kindly grant  $\frac{\text{me}}{\text{us}}$  a pass for the issue under bond of gallons of malt liquor.

The issue is under  $\frac{\text{my}}{\text{our}}$  general bond dated

The issue is under a special bond which is herewith enclosed.

- (i) The name of the consignor.
- (ii) The name of the consignee.
- (iii) The description and quantity of the liquor to be exported.

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<sup>1</sup>FORM IV.

FORM OF SPECIAL BOND TO BE EXECUTED ON THE REMOVAL OF MALT LIQUOR IN BOND FROM BREWERIES FOR TRANSPORT.

Know all men by these presents that we——— (hereinafter called the importers) are bound to His Majesty's Secretary of State for India in Council in the sum of rupees——— to be paid to the said Secretary of State in Council, for which payment we bind ourselves and our legal representatives.

Dated this day of 192 .

(Signed.)

Whereas the importers have been permitted to remove gallons of malt liquor from the brewery at Quetta to the bonded warehouse at , without previous payment of the duty thereon.

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<sup>1</sup> Added by Notification No. 372-R., dated the 30th January, 1923. *Gazette of India*, 1923, Pt. II, p. 226.

The condition of this obligation is that if the importers or their legal representatives shall, on or before the expiration of       day from the date hereof, deliver or cause to be delivered the abovementioned gallons of liquor into the custody of the officer in charge of the said bonded warehouse or shall on demand pay or cause to be paid to the said Secretary of State in Council duty at the rate of       per       gallon on all or any portion of the abovementioned gallons of liquor which shall not be so delivered subject to the prescribed allowance for dryage and wastage then this bond shall be void; otherwise it shall remain in full force.

Any infringement of the conditions of this bond shall be considered an offence under the Excise Regulation (1 of 1915) and shall be dealt with accordingly.

Signed in the presence of

Place

Date

Collector of

on behalf of the Secretary of State.

#### FORM V.

#### FORM OF GENERAL BOND TO BE EXECUTED ON THE REMOVAL OF MALT LIQUOR FROM BREWERIES FOR TRANSPORT IN BOND.

Know all men by these presents that we \_\_\_\_\_ (hereinafter called the importers) are bound to His Majesty's Secretary of State for India in Council in the sum of rupees       to be paid to the said Secretary of State in Council, for which payment we bind ourselves and our legal representatives.

Dated this       day of       192 .

(Signed.)

Whereas the importers have been permitted from time to time to transport malt liquor from the brewery at Quetta to all or any of the bonded warehouses mentioned in the passes covering such transport without previous payment of duty.

The conditions of this obligation are:—

(1) that the importers or their legal representatives shall not at any one time so transport or so have transported and not accounted for under the next following condition, any quantity or quantities of malt liquor, the duty or the aggregate duty on which at the rate of       per gallon shall exceed the said sum of Rs.       .

<sup>1</sup> Added by Notification No. 372-R., dated the 30th January, 1923. *Gazette of India*, 1923, Pt. II, p. 226.



(2) that the importers or their legal representatives shall within the time mentioned in the pass issued by the Excise Officer-in-charge of the brewery on each occasion of the transport of malt liquor, deliver or cause to be delivered the malt liquor so transported on that occasion into the custody of the Officer-in-charge of the bonded warehouse mentioned in the pass, or shall on demand pay or cause to be paid to the Secretary of State for India in Council duty at the above rate per gallon for all or any portion of the malt liquor then so transported which shall not be so delivered subject to the prescribed allowance for dryage and wastage and,

(3) that if the importers or their legal representatives shall well and truly keep and perform all the conditions hereinbefore recited, then this bond shall be void; otherwise the same shall remain in full force.

Any infringement of the conditions of this bond shall be considered an offence under the Excise Regulation (1 of 1915) and shall be dealt with accordingly.

Signed in the presence of

Place

Date

Collector of

on behalf of the Secretary of State.

FORM VI.

PASS FOR REMOVAL FROM A BREWERY OF  
MALT LIQUOR IN BOND.

No. , dated .

Current to

1. Name of consignor.
2. Name of consignee.
3. Name of place to which issued.
4. Description of Malt Liquor.
5. For details, see reverse.

Political Agent or  
Excise Inspector.

FORM VI.

PASS FOR REMOVAL FROM A BREWERY OF  
MALT LIQUOR IN BOND.

No. , dated .

Current to

1. Name of consignor.
2. Name of consignee.
3. Name of place to which issued.
4. Description of Malt Liquor.
5. For details, see reverse.

Political Agent or  
Excise Inspector.

FORM VI.

PASS FOR REMOVAL FROM A BREWERY OF  
MALT LIQUOR IN BOND.

No. , dated .

Current to

1. Name of consignor.
2. Name of consignee.
3. Name of place to which issued.
4. Description of Malt Liquor.
5. For details, see reverse.

Political Agent or  
Excise Inspector.



*Quetta Distillery.*

<sup>1</sup>No. 492-R.,  
<sup>2</sup>No. 494-R.,  
<sup>3</sup>No. 495-R.,  
<sup>4</sup>No. 496-R., } dated the 27th January, 1911.—Not re-printed.

<sup>1</sup>No. 3968-R., dated the 19th December, 1916.—Not re-printed.

*Bonded warehouse for intoxicating drugs at Sibi to serve the same purpose for Agency Territories.*

No. 1609, dated the 21st February, 1902.—In exercise of the powers conferred by section 14, sub-section (2), of the Excise Act, 1896 (XII of 1896),<sup>5</sup> as applied to the territories administered by the Agent to the Governor-General in Baluchistan as such Agent, and with the previous sanction of the Governor-General in Council, the said Agent is pleased to direct that, for the purposes of the said section, the bonded warehouse established at Sibi by the Chief Commissioner of British Baluchistan for the storage of intoxicating drugs shall be deemed to have been established by him; and in exercise of the powers conferred by sub-section (1), clause (b), of the said section, the said Agent is further pleased to direct that the import duty imposed on the said drugs by his notification No. 1610, dated the 21st February, 1902, shall be payable on the removal of the drugs from such bonded warehouse in accordance with the provisions of rule 22, sub-rule (1), clause (b), of the rules published with the said Chief Commissioner's 'notification No. 1606 of this date.

[*Gazette of India*, 1902, Pt. II, p. 333.]

*Rules for the manufacture and sale of country spirit in Zhob.*

No. 2287-R., dated the 11th August, 1910.—In exercise of the powers conferred by section 65 of the Excise Act, 1896 (XII of 1896),<sup>5</sup> as applied to the territories administered by the Hon'ble the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to make the following rules regarding the manufacture and sale of country spirit in the '[Lower Zhob and Fort Sandeman Sub-Divisions of the Zhob

<sup>1</sup> Printed in Local Rules and Orders made under Enactments applying to British Baluchistan, p. 314.

<sup>2</sup> Printed in Local Rules and Orders made under Enactments applying to British Baluchistan, p. 315.

<sup>3</sup> Printed in Local Rules and Orders made under Enactments applying to British Baluchistan, p. 352.

<sup>4</sup> Printed in Local Rules and Orders made under Enactments applying to British Baluchistan, p. 381.

<sup>5</sup> See now, the Excise Regulation, 1915 (I of 1915).

<sup>6</sup> *Gazette of India*, 1902, Pt. II, p. 327.

<sup>7</sup> Substituted by Notification No. 1771-R., dated the 18th May, 1914. *Gazette of India*, 1914, Pt. II, p. 1228.

District and the Musakhel Tahsil of the Loralai District] with effect from the 1st April, 1911:—

- (1) The exclusive right to manufacture and sell country spirit in the <sup>1</sup>[Lower Zhob and Fort Sandeman Sub-Divisions of the Zhob District and the Musakhel Tahsil of the Loralai District] shall be farmed out by public auction or in such other manner as the Revenue Commissioner may direct in accordance with the conditions contained in the form of lease attached (A).
- (2) When the contract is to be sold by public auction it shall be put up to auction by the Political Agent, Zhob, not later than the 1st March in each year. Notices of sale shall be issued during the first week of February and copies thereof shall be forwarded to the Revenue Commissioner for information.
- (3) Immediately after the sale the highest bids shall be reported to the Revenue Commissioner in the attached form (B). The causes of increase or decrease should be briefly explained. If the Political Agent recommends for sanction any but the highest bid, both the highest bid and the bid recommended shall be shown in the statement and brief reasons given for not recommending the highest bid. The Revenue Commissioner is not bound to accept the highest or any bid and may, if he thinks necessary, order a fresh sale.
- (4) The Political Agent shall submit to the Revenue Commissioner an annual return in the statement in the attached form (C) showing the manufacture and sale of country spirits. The return should be submitted by the 15th May each year.
- (5) The farmer shall furnish such other returns as may be prescribed by the Revenue Commissioner from time to time.

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A.

LEASE FORM.

In consideration of the monthly payments hereinafter specified, the monopoly of manufacture and sale of country spirit for the <sup>1</sup>[Lower Zhob and Fort Sandeman Sub-Division of the Zhob District and the Musakhel Tashil of the Loralai District] is hereby granted to

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<sup>1</sup> Substituted by Notification No. 1771-R., dated the 18th May, 1914. *Gazette of India*, 1914, Pt. II, p. 1228.

(hereinafter called the farmer) for the period of one year, from the 1st April 19 to the 31st March 19 .

The farmer shall pay to the Government a sum of Rs. in the following monthly instalments:—

For April	Rs.	For October	Rs.
„ May	Rs.	„ November	Rs.
„ June	Rs.	„ December	Rs.
„ July	Rs.	„ January	Rs.
„ August	Rs.	„ February	Rs.
„ September	Rs.	„ March	Rs.

The instalments due for the last two months of the period covered by his lease shall be paid in advance by way of security. The deposit shall be liable to forfeiture for default as hereinafter provided. If not so forfeited the amount shall be applied to the payment of the last two monthly instalments. The instalment due for each of the other months shall be paid in advance not later than the fifth day of each month.

2. No sub-letting or alienation of this lease is permitted without the previous sanction, in writing, of the Political Agent. It is entirely within the discretion of the Political Agent whether he will or will not permit the heir (or legal representative) of the farmer, in case of the latter's death, to have the benefit of the lease for the unexpired portion of the term for which it was granted.

3. The farmer is authorised to establish a Distillery (place) in the Zhob District for the manufacture of country spirit in accordance with the terms of this lease. Spirit shall not be made or distilled at any other place, and the farmer shall be held responsible that the distillery premises are always kept in a proper state of cleanliness.

4. The spirit to be manufactured or sold shall not be stronger than 10° U. P., nor weaker than 20° U. P.

5. No drug or deleterious substance of any kind shall be added to the spirit manufactured at the distillery, nor shall any spirit be stored in copper vessels.

6. Country spirit shall not be sold by the farmer or by any one of his agents, except at shops duly authorised for the purpose by the Political Agent, namely, those described in the Schedule hereto annexed.

7. An agent will be appointed for the sale of spirit at each such shop, for whose conduct the farmer shall be responsible.

8. <sup>1</sup>[No shop shall be opened before 7 A.M. in summer and 8 A.M. in winter nor shall any shop be kept open after 9-30 P.M. in summer and 9 P.M. in winter.

NOTE.—The summer shall be considered to last from 1st April to 30th September and winter from 1st October to 31st March.]

<sup>1</sup> Substituted by Notification No. 183-R., dated the 19th January, 1914. *Gazette of India*, 1914, Pt. II, p. 232.

9. The farmer or his agent shall close his shop whenever ordered to do so by the Political Agent or by any officer not below the rank of Deputy Superintendent of Police or by any Magistrate of the 1st class; and he shall do so of his own accord during any riot or disturbance in the neighbourhood.

10. The police shall at all times have access to any part of any shop for police purposes, any such access shall also be given at any time of the day or night to any officer mentioned in condition 9 or other officer appointed in this behalf by the Political Agent.

11. A signboard shall be put up in front of each shop giving the name of the vendor and the designation "Licensed retail vendor of country spirit".

12. Each shop shall only have one door opening into a public road. It shall be so constructed that the interior may be visible from the doorway and it shall not be used as a place of residence save for the farmer or his agent and his family.

<sup>1</sup>[13. The farmer or his agent shall sell spirit either by the standard dram, the half dram or by the reputed quart bottle (containing 8 standard drams) to be consumed *on the premises*, and he may also sell in the same quantities *for consumption off the premises*, provided that, without the sanction in writing of an officer authorized in this behalf by the Political Agent, spirit in excess of one seer shall not be sold to anyone at one time.

The maximum selling rates shall be :—

	Rs.	A.	P.
Per 8 drams bottle . . . . .	1	10	0 <sup>2</sup>
Per dram . . . . .	0	3	6 <sup>2</sup>
Per $\frac{1}{2}$ dram . . . . .	0	1	9 <sup>2</sup> ]

14. Spirit shall be sold only for cash; on no account may wearing apparel, or goods of any kind be taken in barter for spirit.

15. No person shall be allowed to drink to intoxication on the shop premises, nor shall any bad character be allowed to resort to any shop. No gaming or disorderly conduct shall be permitted therein. Information about suspected persons shall be given at once to the nearest Magistrate, or to any Police Officer on duty.

16. Country spirit shall not be sold to any European soldier or Non-Commissioned Officer whether with his Regiment or in a staff or in civil employ, nor to any European or Eurasian camp follower, without the express permission of the Officer Commanding the Station or the Regiment, or detachment.

<sup>1</sup> Substituted by Notification No. 3897-R., dated the 30th October, 1913. *Gazette of India*, 1913, Pt. II, p. 2015.

<sup>2</sup> Substituted by Notification No. 648-R., dated the 18th February, 1921. *Gazette of India*, 1921, Pt. I, p. 275.

17. Country spirit shall not be sold to any native, if there is reason to believe that he intends to convey the same to the European soldiers or Non-Commissioned Officers or their wives or European or Eurasian camp followers, nor to any of the following persons:—

- (1) Native soldiers, camp followers (whether on or off duty) or the wives of Native soldiers, unless with the permission of the General Officer Commanding the Division or the Officer Commanding the Cantonment or detachment or camp;
- (2) Policemen or Excise Officers when on duty;
- (3) European Vagrants under escort of the Police;
- (4) Insane persons;
- (5) Persons known or believed to be intoxicated; and
- (6) Children below the age of <sup>1</sup>[15] years.

NOTE.—\*The holder of this lease has permission from to sell country spirit in accordance with the terms of this lease at the shops shown in the schedule to sepoys and their wives and Native followers; but the permission may be withdrawn at any time with respect to all or any shops on its being established to the satisfaction of the Political Agent that the farmer or any of his agents has transgressed the conditions of his lease or the Excise rules, and the farmer shall in such cases not be entitled to any compensation for such withdrawal.

18. The farmer or his agent shall keep an account in the attached form of all receipts and sales of spirit at each shop and such account shall at any time be produced for inspection on the requisition of any officer authorised in this behalf by the Political Agent. The account shall be written up to date daily.

19. The farmer shall furnish the Political Agent with such returns of the quantities of spirit manufactured and sold by him as the Political Agent may require.

20. The new farmer will be required to purchase the stock remaining with the old farmer not exceeding one month's supply, calculated on the average sale of the months of December, January and February. The price will be settled by the farmers between themselves; failing which it will be settled by arbitrators, to be appointed by the Political Agent, whose decision will be final.

21. This lease is given subject to the fulfilment of the foregoing rules and conditions and of the provisions of the Excise Act, XII of 1896, and the rules made thereunder, any breach of which shall be held to be an infraction of this lease. In the event of any infraction of this lease, the Political Agent may, with the previous sanction of the Revenue Commissioner, cancel the lease and hold forfeit the deposit referred to in rule 1

\* To be deleted when permission not obtained.

<sup>1</sup> Substituted by Notification No. 188-R., dated the 19th January, 1914. *Gazette of India*, 1914, Pt. II, p. 232.



above; and no compensation shall be claimable by the farmer in respect of such cancellation. The Political Agent may dispose of the lease again by auction or tender. Any difference between the amount payable as above for the whole term of this lease and the amounts paid by the farmer as instalments *plus* the sum realised on such resale, may be recovered as provided in section 34, Act XII of 1896, from the said farmer. The Political Agent may, with the previous sanction of the Revenue Commissioner, permit the whole or a part of the advance deposit to count towards such difference.

*Schedule.*

Locality.	No. of shops.

Signature of Farmer.

Signature of Political Agent in Zhob.

*Form of Account referred to in para. 18 of lease.*

[illegible]

**B.**

*Statement showing the highest bids offered for the contract for the exclusive right to manufacture and sell country spirit in the <sup>1</sup>[Lower Zhob and Fort Sandeman Sub-Divisions of the Zhob District and the Musakhel Tahsil of the Loralai District] for the year 19 .*

1	2	3	4	5	6	7
Contracts.	Amount for which contract was sold for current year	Highest bids for the next year ( ).	Increase.	Decrease.	Name of highest bidders.	Remarks.

**C.**

*Statement showing the manufacture and sale of country spirit in the <sup>1</sup>[Lower Zhob and Fort Sandeman Sub-Divisions of the Zhob District and the Musakhel Tahsil of the Loralai District] during the year ending with 31st March 19 .*

1		2		3		4		5		6
Quantity received from the last year's contractor in gallons.		Manufactured during the year in gallons.		Total in gallons.		Sales in gallons.		Balance in gallons.		Remarks.
Plain.	Flavoured.	Plain	Flavoured.	Plain.	Flavoured.	Plain	Flavoured.	Plain.	Flavoured.	

[Gazette of India, 1910, Pt. II, p. 1221.]

<sup>1</sup> Substituted by Notification No. 3771-R., dated the 18th May, 1914. *Gazette of India*, 1914, Pt. II, p. 1228.



## VII.—Orders under Local Laws.

### QUETTA HACKNEY CARRIAGE LAW, 1889.

#### *Rules.*

*No. 7803, dated the 12th October, 1899.*—In exercise of the powers conferred by sections 3 and 4 of the Quetta Hackney Carriage Law, 1889<sup>1</sup>, the Agent to the Governor-General in Baluchistan has been pleased in supersession of all previous rules to issue the following for the regulation and control of Hackney Carriages in the Quetta District, including the town and cantonment of Quetta. The rules will come into force from 15th November 1899:—

1. *All hackney carriages to be licensed.*—Every hackney carriage shall be required to take out a license from the Municipality.

<sup>2</sup>[2. *Condition of license.*—Such licenses shall be granted by the Superintendent of Police, Quetta, after the carriages, horses and mules have been inspected and approved by a Committee, consisting of himself, his Assistant, or one of the Deputy Superintendents of Police, Secretary to the Quetta Municipality, or his Assistant, City Magistrate, Deputy Superintendent, Civil Veterinary Department in Baluchistan and the Secretary, Cantonment Board, or his Assistant who shall also jointly determine the class to which the carriage shall belong.]

<sup>2</sup>[2. (a) *Inspection of carriages, horses and harness.*—The Committee mentioned in Rule 2 above shall meet every 4 months and shall inspect Hackney Carriages, horses and harness. The owner, proprietor or agent shall produce his vehicle, horse and harness at these periodical inspections and shall remedy or replace objects pointed out by the Committee and shall produce such tonga, horse or harness as the case may be, again before the Superintendent of Police or his representative within ten days after the last day of the inspection to ensure that the orders of the Hackney Carriage Committee have been complied with.]

<sup>2</sup>[3. (1) The carriages, horses, mules and harness to be maintained in what is considered by the authority granting the license to be in a good serviceable condition and all such horses and mules to be branded on the hoof with a serial number as a mark of having been passed by the authority as being fit for work. In addition to the license number painted on the splash board and lamps, the vehicles together with harness, shall be branded in several places, with the license number in such a manner as thought fit by the Committee mentioned in Rule 2, so that the articles can not be removed or altered without being detected at a glance.]

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<sup>1</sup> Printed *supra*, p. 21.

<sup>2</sup> Substituted and inserted by Notification No. 4527-R., dated the 6th September, 1928. *Gazette of India*, 1928, Pt. II-A, p. 288.

(2) Every carriage to be provided with two lamps <sup>1</sup>[and one bell],  
<sup>2</sup>[and the number of the carriage shall be painted on the face of these  
lamps in such a manner as to be visible at night].

(3) <sup>3</sup>[All four-wheeled and two-wheeled carriages to be in the 1st  
and 2nd classes.]

<sup>4</sup>[(4) That the following should be the 1st class standard of  
vehicle:—

(a) Rubber tyres.

(b) Spring cushions with flaps.

(c) Foot bell.

(d) Steps—Front and Back.

(e) Hood with side curtains and centre curtain.

(f) Two lamps with number of vehicle painted on the glass in red  
first class, green 2nd class.

(g) Foot mat.

(h) Wheel chains and locks.

(i) Hand grips front and back.

(j) Nirikh rates to be exposed to view in frame on right side of  
the Tonga.

(k) Splash boards with rails over wheels and splash boards in  
front.

(l) Driver and owner's license to be framed and exposed to view  
on the front splash board.

(m) Vehicle to be varnished and not painted.]

4. *Period and revocation of license.*—Licenses issued under these  
rules shall continue in force during that official year for which they are  
granted. But they shall be liable to revocation within that time by  
order of the Committee granting the license on proof before it that the  
proprietor or his agent has been guilty of an infringement of any of  
these bye-rules, or has been convicted of any offence under these rules or  
that the conditions on which the license has been granted are not fully  
maintained.

5. *Renewal of license.*—Application for the renewal of licenses shall  
be made one month before the expiry of the year of license, and the  
renewed license shall be granted in the same way, and by the same

<sup>1</sup> Inserted by Notification No. 3397-R., dated the 9th August, 1919. *Gazette of India*, 1919, Pt. II, p. 1469.

<sup>2</sup> Added by Notification No. 1472-R., dated the 27th April, 1916. *Gazette of India*, 1916, Pt. II, p. 826.

<sup>3</sup> Substituted by Notification No. 542-R., dated the 29th February, 1924. *Gazette of India*, 1924, Pt. II-A, p. 82.

<sup>4</sup> Substituted by ditto.

officer as provided in Rules 2 and 3, and on payment of the same fee as for the original license.

6. *Transfer of license.*—When a licensed hackney carriage is transferred to a new proprietor during the year of license, the name of such proprietor shall be duly reported by the transferer to the <sup>1</sup>[Superintendent of Police, Quetta] and shall be substituted in the license for the name of transferer without further payment.

7. *Numbering of license and vehicles.*—Each license shall bear a serial number, and this number shall be painted in English on both panels of the driver's box in 1st and 2nd Class (4 wheeled) carriages and on both mud guards of [all]<sup>3</sup> (2 wheeled) carriages. [The numbers should be not less than 3½" high and ½" thick.]<sup>1</sup>

8. *Production of license.*—All hackney carriage licenses shall be produced for inspection when required by any Magistrate or Police officer or the Secretary to the Quetta Municipality. [Both carriage and driving licenses should be in the possession of the person driving the vehicle.]<sup>1</sup>

9. *Driver's license.*—No person shall be allowed to act as a driver of a licensed carriage or vehicle, except under a driver's license granted on that behalf by the officer mentioned in rule 2. A driver's license should not be granted to any person under 18 years of age.

10. Before a driver's license is granted to any person he shall be practically examined in his knowledge of driving and of locality, both in civil lines and cantonments. Such examination shall be conducted by one of the members of the Committee constituted under rule 2.

10A. No person shall be granted a license unless—

(1) his character shall have been verified <sup>1</sup>[and his particulars for identification recorded] by the Superintendent of Police, and

(2) he can show that he owns a hackney carriage or will be employed as driver by the proprietor of a hackney-carriage.

<sup>5</sup>[11. *Driver's badge.*—Every driver so licensed, while driving a licensed carriage or plying for hire, shall wear a brass badge on his arm bearing the number of his license,<sup>6</sup> \* \* \* \* \*]

<sup>1</sup>Substituted and inserted by Notification No. 4527-R., dated the 6th September, 1928. *Gazette of India*, 1928, Pt. II-A, p. 288.

<sup>2</sup>Substituted by Notification No. 1472-R., dated the 27th April, 1916. *Gazette of India*, 1916, Pt. II, p. 826.

<sup>3</sup>Substituted by Notification No. 4375-R., dated the 5th November, 1919. *Gazette of India*, 1919, Pt. II, p. 1950.

<sup>4</sup>Inserted by Notification No. 78-R., dated the 8th January, 1913. *Gazette of India*, 1913, Pt. II, p. 135.

<sup>5</sup>Substituted by Notification No. 493, dated the 11th February, 1920. *Gazette of India*, 1920, Pt. II, p. 349.

<sup>6</sup>Omitted by Notification No. 542-R., dated the 29th February, 1924. *Gazette of India*, 1924, Pt. II-A, p. 82.

and have his driver's license as also that of the Hackney Carriage in his possession.]

<sup>1</sup>[12. *Form of license for carriages and drivers.*—The license for Hackney Carriages and drivers shall be in the form attached to these rules, and shall be printed on strong paper.

The fee for each carriage license shall be:—

	Rs.	A.	P.
Omnibuses . . . . .	18	0	0
1st class carriages . . . . .	12	0	0
2nd class carriages . . . . .	8	0	0

and for each driver's license and badge Rs. 2 *plus* cost price of the badge, and of the Leather Belt with brass badge.

Fee for renewal of license, 4 annas and of badge its cost price.]

13. *Forfeiture of license.*—Any proprietor or agent of the proprietor, or driver of a licensed vehicle who knowingly permits it to be drawn by a less number of horses or mules than is provided in the license, or knowingly permits more passengers or greater weight to be carried in such carriage than is permitted by the bye-laws shall be liable to a fine which may extend to Rs. 50 and to forfeiture of his license.

14. *Forfeiture of driver's license.*—Any driver who cruelly beats, ill-treats, over-drives, or otherwise misuses any horses or mule driven in a licensed vehicle or who drives recklessly or without due care shall be liable to forfeiture of his license to drive, in addition to any other punishment to which he may be liable under any law in force for the time being.

<sup>2</sup>14A. If a hackney carriage driver is convicted of any offence by any court of law he shall be liable to forfeiture of his license.

Similarly, should the Hackney Carriage Committee have cause to consider that any licensed hackney carriage driver is unfit to continue his occupation as a licensed driver the Committee shall have power to revoke or suspend his license, either permanently or for such period as they may consider necessary. The reasons for such revocation or suspension shall be recorded by the Committee in writing.

15. *Inspection of premises.*—It shall be lawful for any person named in rule 2, or any Magistrate or other person authorised on his behalf, to enter premises on which licensed vehicles, animals, harness and other things used therewith are kept in order to carry out the provisions of these bye-laws.

<sup>1</sup> Substituted by Notification No. 493, dated the 11th February, 1920. *Gazette of India*, 1920, Pt. II, p. 349.

<sup>2</sup> Omitted by Notification No. 542-R., dated the 29th February, 1924. *Gazette of India*, 1924, Pt. II-A, p. 82.

<sup>3</sup> Inserted by Notification No. 78-R., dated the 8th January, 1913. *Gazette of India*, 1913, Pt. II, p. 135.

16. *Stands for licensed carriages.*—The Committee named in the rule 2 shall appoint places as stands for licensed hackney carriages. The following place is for the present appointed as a hackney carriage stand:—

*In Bruce Road, near the Ingle Market,*  
*and*  
*on Sandeman Road below the Bazar Guard.*

Drivers of such carriages found waiting for hire at places other than those appointed shall be liable to forfeit their license to drive. The regulation of the order in which hackney carriages shall rank on the stands shall be under the control of the police.

17. *Power of driver or proprietor to refuse a licensed carriage.*—The driver or proprietor of a licensed carriage waiting on a public stand or publicly plying for hire shall at any time of the day or night be bound to give such carriage on hire to any person demanding the same unless for good or sufficient reason, the burden of proving which shall be on the driver or proprietor so refusing.

18. The driver or proprietor of any licensed carriage who without good or sufficient reason refuses to give such carriage on hire shall be liable to forfeiture of his license.

19. *Number of persons to be carried by each licensed hackney carriage.*—The maximum number of persons which may be carried by each description of hackney carriage is as follows:—

Description of vehicles.	No. of persons.
1. By a dog-cart . . . .	Four persons, including syce or driver.
2. By a four-wheeled carriage (classes I and II) if drawn by—	
(a) One horse or mule . . . .	Five persons in all.
(b) Two horses or mules . . . .	Six persons in all.
3. Omnibus . . . . .	Twelve persons, including syce or driver.

Two children under ten years of age shall be reckoned as one adult person.

20. *Maximum load, inclusive of luggage, which may be carried by each description of carriage, is as follows:—*

	Maunds.
Carriage drawn by one horse or mule . . . . .	8
,,     ,,     two horses or mule . . . . .	12

Each adult person shall be considered as weighing  $1\frac{1}{2}$  maunds, and each child under 10 years of age as  $\frac{3}{4}$  of a maund.



<sup>1</sup>[21. *List of fares to be fixed on the Licensed Carriages.*—Every Licensed Carriage shall have affixed on the right side panel a list of the fares prescribed in the following rules. The list shall be printed in English and Urdu. One copy will be provided yearly at the time of licensing by the Committee granting the licenses, but such list if lost, destroyed or defaced shall be replaced by the proprietor at his own expense.]

<sup>2</sup>[22. In the absence of any private arrangement between the proprietor, agent or driver of a licensed hackney carriage and hirer, the following rates shall be paid:—

	First class. Rs. A.	Second class. As.
(a) By the hour:—		
1. For a single hour . . . . .	*[1 0]	*[12]
2. For each hour or portion of an hour after the first hour . . . .	*[0 10]	*[8]
(b) Short Journeys:—		
1. Which can be performed in half an hour or under . . . . .	0 8	6
(c) To places outside the Municipal and Cantonment limits:—		
1. Every mile or portion of a mile . . . . .	0 6	4
2. Detention for every hour or portion of an hour . . . . .	0 3	2]

23. *Carriage how to proceed if hired by the journey.*—If the carriage is not engaged by time, the person hiring it shall proceed by the direct or usual road from point to point, and any alterations of or detentions on the route by the hirer shall involve the payment of an additional fare, provided that in no case shall the fare payable exceed the sum due for the hire of the licensed vehicle for the whole day.

24. *Minimum speed if hired by the hour.*—The minimum rate of speed at which a carriage hired by time shall be driven shall be 5 miles per hour.

25. *Carrying of lights.*—Every licensed vehicle shall, while plying for hire between sunset and sunrise, carry two lights. [The lighting up time will be fixed and notified by the Superintendent of Police from time to time by means of a notice pasted on the notice boards at the City Police Thana and main Cantonment Police Thana.]<sup>4</sup>

26. *Lost property.*—Property found in licensed hackney carriages shall be deposited at the nearest police station by the proprietor or driver

<sup>1</sup> Substituted by Notification No. 2336-R., dated the 26th June, 1918. *Gazette of India*, 1918, Pt. II, p. 1193.

<sup>2</sup> Substituted by Notification No. 542-R., dated the 29th February, 1924. *Gazette of India*, 1924, Pt. II-A, p. 82.

<sup>3</sup> Substituted by Notification No. 947-R., dated the 28th March, 1924. *Gazette of India*, 1924, Pt. II-A, p. 106.

<sup>4</sup> Substituted by Notification No. 4527-R., dated the 6th September, 1928. *Gazette of India*, 1928, Pt. II-A, p. 288.

of such carriages. A list of such property shall be posted at the head-quarter city police station and at such other places as the District Superintendent of Police may direct.

27. Prosecution for the breach of these rules may be instituted by any passenger, Police-officer, or Secretary to the Quetta Municipality.

28. Cases of breach of these rules may be tried by any Magistrate authorized to do so by the Political Agent, Quetta and Pishin.

*Form of Carriage License.*

1. Quetta Municipality.
2. Number and class of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor or agent.
6. Residence of proprietor or agent.
7. Description of vehicle.
8. License to carry passengers if drawn by one horse: if drawn by two horses.
9. Remarks.

*Form of Driver's License.*

1. Quetta Municipality.
2. Number of license.
3. Date of issue of license.
4. Name of Driver.
5. Father's name.
6. Residence.
7. Remarks.

[*Gazette of India*, 1899, Pt. II, p. 1156.]

QUETTA MUNICIPAL LAW, 1896.

*Limits of Quetta Municipality.*

No. 1095-R., dated the 5th April, 1924.—Not re-printed.

[*Gazette of India*, 1924, Pt. II-A, p. 128.]

*Tax on licensed petition writers in Quetta.*

No. 3930-R., dated the 3rd December, 1924.—In exercise of the powers conferred by section 21 (1) (b) of the Quetta Municipal Law,<sup>1</sup>

and all other powers enabling him in this behalf, the Hon'ble the Agent to the Governor General is pleased to sanction, with effect from 1st April, 1925, the imposition of a tax on licensed petition writers practising within the Octroi limits of Quetta and issue the following rules:—

1. Every licensed petition writer practising as such within the Octroi limits of Quetta shall pay an annual tax at the following rates:—

1st Class petition writers, Rs. 20 per annum.

2nd Class petition writers, Rs. 10 per annum.

2. The tax shall be payable in advance in the first week of April every year, and the receipt for payment obtained from the Municipal Office shall be attached to the license when such license is presented for annual renewal, to the Political Agent, Quetta-Pishin.

[*Gazette of India*, 1924, Pt. II-A., p. 410.]

#### *Control of Dalals.*

No. 3917-R., dated the 2nd December, 1924.—In exercise of the powers conferred by section 21 (1) (b) of the Quetta Municipal Law,<sup>1</sup> and in supersession of all previous orders on the subject, the Agent to the Governor General is pleased to make the following rules regarding the control of Dalals (Brokers) within the limits of the Quetta Municipality.

These rules will take effect from 1st April, 1925.

#### *Rules.*

1. Every person desirous of being a broker in the limits of the Quetta Municipality Area will have to get a license from the Quetta Municipality in the accompanying form on payment of an annual fee of Rs. 12 (rupees twelve only).
2. He will have to furnish security to the extent of Rs. 100 and to execute a formal bond in the accompanying form.
3. He will not be able, while a broker, to trade on his own account.
4. He must not enter into partnership with any merchant or trader in any transaction.
5. He must not receive any money on account of sales other than his fees.
6. He must not arrange for the sale of goods to any one who is not solvent.
7. He will only receive his brokerage fees and will keep an account of his transactions.

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<sup>1</sup> Printed *supra*, p. 23.

8. He shall be liable for a breach of the above conditions to have his license cancelled and security forfeited, in addition to any other penalty which he may be found liable to under the laws.

The license fees realised under these rules and the amounts of the security deposits forfeited are to be credited to the Municipal Fund.

NOTE.—The term “broker” used in these rules means a dalal who transacts business with the shopkeepers of Quetta and the Pathan and Persian dealers.

*Form of License.*

A. B. is hereby licensed as a broker for the Municipal Area of the town of Quetta under the rules sanctioned by the Governor General’s Agent in Baluchistan in his Notification No. 3917-R., dated the 2nd December, 1924.

*Chairman of the Quetta Municipality.*

*Form of Bond.*

I , son of , inhabitant of , having duly obtained a license for carrying on my business as a broker in the Municipal area of the town of Quetta, hereby bind myself to practice as such and to observe the rules prescribed for the purpose. For the performance of my business in good faith I agree to deposit as security a sum of Rs. 100 (rupees one hundred only) in cash or furnish security to that amount, and in the event of my violating any of the rules, I render myself liable to forfeiture of the amount deposited by me in the office of the Quetta Municipality in addition to any criminal prosecution to which I may become liable.

NOTE.—The bond is to be attested by two witnesses.

Signature of Dalal.

Witness.

Witness.

[*Gazette of India*, 1924, Pt. II-A, p. 410.]

*Bye-Laws for the control of Hawkers and Squatters.*

No. 153-R., dated the 10th January, 1923.—In exercise of the powers conferred by section 21 (b) of the Quetta Municipal Law,<sup>1</sup> the Agent to the Governor General in Baluchistan is pleased to publish the following bye-laws for the control of Hawkers and Squatters in the town:—

<sup>1</sup> Printed *supra*, p. 23.

*Hawkers.*

1. No one shall be allowed to work as a hawker in any part of Quetta Municipal Limits unless he has applied for, and obtained a license from the Municipal Committee.

2. Such license shall be issued on payment of Rs. 6, per year and shall be renewable yearly on 1st April.

<sup>1</sup>[In case of transfer an intimation should be given to the Municipal Secretary.]

3. Such license shall be liable to be cancelled if the owner of it is considered undesirable by the Municipal Committee, or is found selling eatables unfit for human consumption, or articles the sale of which is forbidden under any other rules.

4. All hawkers plying their trade on Hand Rehris within Municipal limits shall be required to obtain a license from the Municipal Committee on payment of Rs. 9 each per annum. In case of transfer intimation should be given to the Municipal Secretary.

*Squatters.*

5. No letter writer, carpenter, fruit seller, shoe-maker, barber, or other class of squatter shall be allowed to ply his trade on the berm of any road within Municipal limits unless he has first applied for and obtained a license from the Municipal Committee.

6. On approval by the Committee such license shall be issued on payment of Rs. 12 per annum, and shall be renewable yearly on 1st April.

<sup>1</sup>[In case of transfer an intimation should be given to the Municipal Secretary.]

7. No squatter shall be permitted to ply his trade on the side or berm of the following roads:—

1. Sandeman Road.
2. Bruce Road.
3. Roads around the New Markets, or
4. All roads twenty feet wide or less.

[*Gazette of India*, 1923, Pt. II, p. 80.]

*Rates of octroi on animals and goods brought within the limits of the Quetta Municipality.*

No. 4317-R., dated the 9th November, 1926.—In supersession of all previous orders on the subject the Hon'ble the Agent to the Governor

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<sup>1</sup> Added by Notification No. 3673-R., dated the 12th November, 1924. *Gazette of India*. 1924, Pt. II-A, p. 389.

General in Baluchistan is pleased under section 21 (1), clause (c) of the Quetta Municipal Law,<sup>1</sup> to revise, with effect from the 9th December, 1926, the rates of Octroi on animals and goods brought within the limits of the Quetta Municipality as below:—

*Revised Schedule of Octroi Rates in the Municipality of Quetta.*

No.	Articles.	Per	Rates of Octroi.			
			By maundage per maund.		Ad valorem per rupee.	
CLASS I.						
(Articles of food and drink for men and animals.)						
			Rs.	A.	P.	Rs. A. P.
1.	Wheat . . . . .	Maund . . .	0	1	3	...
2.	Rice (husked and unhusked) . . .	" . . .	0	4	0	...
3.	Dals of all kinds both crushed and uncrushed. . . . .	" . . .	0	4	0	...
4.	All other grains (including bran and phaki). . . . .	" . . .	0	2	0	...
5.	Atta . . . . .	" . . .	0	1	6	...
6.	Flour (maida) . . . . .	" . . .	0	4	0	...
7.	Suji . . . . .	" . . .	0	4	0	...
8.	Sugar, all kinds (refined and articles made of it). . . . .	" . . .	0	10	0	...
9.	Gur and unrefined sugar . . . . .	" . . .	0	3	6	...
10.	Ghee, all sorts and butter . . . . .	" . . .	2	0	0	...
11.	Almonds with shell . . . . .	" . . .	1	0	0	...
12.	Almonds without shell . . . . .	" . . .	2	0	0	...
13.	Pistachio nuts with shell . . . . .	" . . .	2	0	0	...
14.	Pistachio nuts without shell . . . . .	" . . .	3	0	0	...
15.	All dried fruit except Nos. 11 to 14 . . . . .	" . . .	0	8	0	...
16.	Plums (Alucha and Alubukhara, Apricots, Sindhi and Paw Mangoes, Bers and Lasoras). . . . .	" . . .	0	6	0	...
17.	All other fresh fruits except mulberries. . . . .	" . . .	0	8	0	...
18.	Water Melons . . . . .	" . . .	0	1	6	...
	(a) Water Melons, Camel Load (3 maunds). . . . .	Camel Load . . .	0	4	6	...
	(b) Other Melons, Cart Load (8 maunds). . . . .	Cart Load . . .	0	12	0	...
19.	Other Melons . . . . .	Maund . . .	0	4	0	...
	(a) Other Melons, Camel Load (3 maunds). . . . .	Camel Load . . .	0	12	0	...
	(b) Other Melons, Cart Load (8 maunds). . . . .	Cart Load . . .	2	6	0	...
20.	Onions and Potatoes . . . . .	Maund . . .	0	1	6	...
21.	All fresh vegetables except carrot, turnip, radish and sags of all kinds. . . . .	" . . .	0	1	0	...
22.	Dry vegetables . . . . .	Rupee . . .	...			0 0 6
23.	Tea black, tea green and coffee . . . . .	" . . .	...			0 0 6
24.	Oilman's stores and provisions of all kinds. . . . .	" . . .	...			0 0 6

*Revised Schedule of Octroi Rates in the Municipality of Quetta—  
contd.*

No.	Articles.	Per	Rates of Octroi.					
			By maundage per maund.		Ad valorem per rupee.			
CLASS I—contd.			Rs.	A.	P.	Rs.	A.	P.
25.	Oil cakes and cotton seeds . . .	Maund . . .	0	2	0	...		
26.	Grass, dry Karbi and Palali . . .	„ . . .	0	0	6	...		
27.	Bhoosa—							
	(a) Cart Load (8 maunds) . . .	Cart Load . . .	0	4	0	...		
	(b) Camel Load (4 maunds) . . .	Camel Load . . .	0	2	0	...		
	(c) Bullock Load (2 maunds) . . .	Bullock Load . . .	0	1	0	...		
	(d) Donkey or Pony Load (1½ maunds) . . .	Donkey or Pony Load . . .	0	0	9	...		
	(e) Man's Load (1 maund) . . .	Man's Load . . .	0	0	6	...		
	(f) Bhoosa brought by rail . . .	Maund . . .	0	0	6	...		
28.	Eggs—							
	(a) Brought by road . . .	Dozen . . .	0	0	3	...		
	(b) In Kerosine Oil tin (25 dozen) . . .	Tin . . .	0	6	3	...		
	(c) Donkey or Pony Load (96 dozen). . .	Load . . .	1	8	0	...		
	(d) Eggs brought by rail (80 dozen in one maund). . .	Maund . . .	1	4	0	...		

**CLASS II.**

(Animals for sale, slaughter or use.)

<sup>1</sup> [29.	Goats, kids, sheep and lambs . . .	Head . . .	0	1	0	...]
<sup>1</sup> [30.	Other animals and their young . . .	Head . . .	0	4	0	...]
31.	Poultryes—					
	(a) Fowls, ducks, geese, turkeys, etc., brought by road. . .	Each . . .	0	0	6	...
	(b) Fowls, ducks, geese, turkeys, etc., brought by rail. . .	Maund . . .	0	12	0	...

**CLASS III.**

(Articles used for fuel, lighting and washing.)

32.	Charcoal . . . . .	Maund . . .	0	0	9	...
33.	Baluchistan coal and coal dust . . .	„ . . .	0	0	3	...
34.	Other coal and coal dust . . .	„ . . .	0	0	6	...
35.	Sweet and other oils except Kerosine and petrol. . .	„ . . .	0	8	0	...
36.	Safety and other matches . . .	Rupee . . .	...	0	0	6
37.	Soap of all kinds, toilet requisites of all kinds, caustic and washing soda, soap, nuts and candles. . .	„ . . .	...	0	0	6

<sup>1</sup> Substituted by Notification No. 64-R., dated the 7th January, 1927. *Gazette of India*, 1927, Pt. II-A, p. 32.

*Revised Schedule of Octroi Rates in the Municipality of Quetta—  
contd.*

No.	Articles.	Per	Rates of Octroi.			
			By maundage per maund.		<i>Ad valorem</i> per rupee.	
			Rs.	A. P.	Rs.	A. P.
<b>CLASS IV.</b>						
<i>(Articles used in the decoration and construction of buildings.)</i>						
38.	Timber of all kinds and articles made of it.	Rupee	.	...	0	0 6
39.	Glass and Glass china, stone, marble and earthen wares and tiles.	"	.	...	0	0 6
40.	(a) Burnt bricks of all kinds, Surkhi and Lime.	Cart Load	.	0 2 0	...	
	(b) Burnt bricks of all kinds, Surkhi and Lime, camel, bullocks, pony, mule and donkey loads.	Load	.	0 0 6	...	
41.	Cement	Rupee	.	...	0	0 6
42.	Paints, colours, turpentine oil, dyes, varnish and tar.	"	.	...	0	0 6
43.	Cane, Munj, hemp, matting, reeds, rope of all kinds and articles made therefrom.	"	.	...	0	0 6
<b>CLASS V.</b>						
<i>(Drugs and spices.)</i>						
44.	Groceries	Rupee	.	...	0	0 6
45.	Perfumery	"	.	...	0	0 6
<b>CLASS VI.</b>						
<i>(Tobacco.)</i>						
46.	Tobacco, country and foreign, including snuff, cheroots, cigars and cigarettes.	Rupee	.	...	0	0 6
47.	Beeries	"	.	...	0	0 3
<b>CLASS VII.</b>						
<i>(Piece-goods and other textile fabrics and manufactured articles of clothing and dress.)</i>						
48.	Cotton and other piece-goods	Rupee	.	...	0	0 4
49.	Cotton, woollen, jute and hemp manufactures, including carpets, wearing apparel and tents (wearing apparel not intended for sale duty free).	"	.	...	0	0 6
50.	Silk and silk manufacture	"	.	...	0	0 6
51.	Gunny Bags	"	.	...	0	0 3
52.	Leather and Leather manufacture	"	.	...	0	0 6
53.	Wool loose	"	.	...	0	0 3
54.	Embroidery, drapery, haberdashery, hosiery, millinery, fancy goods, toys and umbrellas.	"	.	...	0	0 6
55.	Postins	"	.	...	0	0 6



*Revised Schedule of Octroi Rates in the Municipality of Quetta—  
concl'd.*

No.	Articles.	Per.	Rates of Octroi.	
			By maundage per maund.	Ad valorem per rupee.
CLASS VIII.				
(Metals and their manufactures.)				
56.	Metals, all and articles wholly or partly made thereof (excluding gold and silver bullions, ornaments, jewels and gems <sup>1</sup> [machinery and components parts thereof not liable to customs duty, gas cylinders, empty kerosene oil tins and empty petrol cans]).	Rupee . . .	Rs. A. P. . . .	Rs. A. P. 0 0 6
CLASS IX.				
(Miscellaneous.)				
57.	Stationery . . . . .	Rupee . . .	Rs. A. P. . . .	Rs. A. P. 0 0 6
58.	Rubber and articles made of rubber and Gattaparcha.	„ . . .	Rs. A. P. . . .	Rs. A. P. 0 0 6
59.	Motor Cars, motor bicycles (including side car) and bicycles and their accessories, batteries, electric goods and fittings.	„ . . .	Rs. A. P. . . .	Rs. A. P. 2 0 0
60.	Seeds of all kinds . . . . .	„ . . .	Rs. A. P. . . .	Rs. A. P. 0 0 6
61.	Guts . . . . .	„ . . .	Rs. A. P. . . .	Rs. A. P. 0 0 6
62.	Batteries, electric goods and fittings (excluding motor cars batteries, electric goods and fittings).	„ . . .	Rs. A. P. . . .	Rs. A. P. 0 0 6

NOTE.—(1) Visitors to Quetta importing bicycles, motor bicycles and motor cars for their own use will be exempted from payment of Octroi thereon for a period not exceeding three months.

(2) No Octroi will be refunded to Contractors on goods imported by them for the use of Government and which actually becomes Government property.

(3) When condemned articles of food for men and animals are sold by auction by any Department of Government, the Committee may charge Octroi duty at not less than 50 per cent. of the rate laid down for these articles in the sanctioned Schedule. This concession shall apply only to those cases on which Octroi duty is levied by maundage.

[*Gazette of India*, 1926, Pt. II-A., p. 435.]

*Imposition of dog-tax.*

No. 986, dated the 31st March, 1910.—In exercise of the powers conferred by section 21 (1) (c) of the Quetta Municipal Law, 1896,<sup>2</sup> and in supersession of his Notification No. 3240—P. 418, dated the 3rd April, 1900, the Hon'ble the Agent to the Governor-General is pleased to sanction the imposition, with effect from the 1st April 1910, of a tax at the rate of Rs. 5 per annum on every dog of the age of three months or over kept within the limits of the Quetta Municipality: provided that:—

- (a) no such tax shall be leviable from any person residing for 30 days or less in the year within the limits of the said Municipality;

<sup>1</sup> Added by Notification No. 3207-R., dated the 29th July, 1927. *Gazette of India*, 1927, Pt. II-A., p. 344.

<sup>2</sup> Printed *supra*, p. 23.

- (b) any Warrant Officer, Non-Commissioned Officer, soldier, Volunteer <sup>2</sup>[Officer or] Non-Commissioned Officer, Volunteer or Volunteer bugler shall be exempt from the tax in respect of one dog only kept by him within the limits of the Municipality on condition that such dog is registered by him at the Municipal Office within 30 days of the date on which the tax would in the absence of such exemption fall due.

[*Gazette of India*, 1910, Pt. II, p. 512.]

*Application of portions of Quetta Municipal Law to Railway Area at Quetta.*

No. 744-R., dated the 13th March, 1915.—In exercise of the powers conferred by section 21 (1) (c) of the Quetta Municipal Law, 1896,<sup>2</sup> as applied to the Railway Area at Quetta by Foreign and Political Department, Notification No. 879-D., dated the 21st December 1914<sup>3</sup>, the Hon'ble the Agent to the Governor General is pleased to sanction the imposition, with effect from one month after this date, of a tax at the rate of Rs. 5 per annum on every dog of the age of three months or over kept within the limits of the Railway Area at Quetta as specified in the said notification, provided that:—

- (a) no such tax shall be leviable from any person residing for 30 days or less in the year within the limits of the said Railway Area;
- (b) any Warrant Officer, Non-Commissioned Officer, Soldier, Volunteer Non-Commissioned Officer, Volunteer, or Volunteer Bugler, shall be exempt from the tax in respect of one dog only kept by him within the limits of the said Railway Area on condition that such dog is registered by him at the office of the Secretary, Quetta Municipality, within 30 days of the date on which the tax would, in the absence of such exemption, fall due.

[*Gazette of India*, 1915, Pt. II, p. 619.]

*Sale and exposure for sale of vegetables and fruits.*

No. 3224-R., dated the 24th September, 1925.—The following bye-law, regulating the sale, and exposure for sale of vegetables and fruits within certain limits of the Quetta Municipality, framed by the Municipal Committee of Quetta in the Quetta District and confirmed by the Hon'ble the Agent to the Governor General in Baluchistan under sec-

<sup>1</sup> Inserted by Notification No. 1931-R., dated the 11th July, 1910. *Gazette of India*, 1910, Pt. II, p. 1095.

<sup>2</sup> Printed *supra*, p. 23.

<sup>3</sup> Printed *supra*, p. 54.

tion 82-A. (d) of the Quetta Municipal Law, 1896,<sup>1</sup> shall come into force within the Municipality of Quetta from the date of this Notification.

“(1) The sale or exposure for sale of vegetables and fresh fruits by shop-keepers, Rehri Hawkers, hawkers and squatters, is prohibited within a radius of 100 yards of the Fruit and Vegetable market provided that the prohibition shall not apply to those shop-keepers whose shops were in existence, within this radius before the present market was constructed.”

[*Gazette of India*, 1925, Pt. II-A., p. 307.]

*Application of the Vaccination Act to the Quetta Municipality.*

No. 9083, dated the 15th December, 1896.—Under the authority given by section 101 of the Quetta Municipal Law of 1896<sup>1</sup>, the Agent to the Governor General is pleased to declare that from the 1st January 1897 the Vaccination Act (XIII of 1880), shall apply so far as it can be made applicable to the Municipality of Quetta.

[*Gazette of India*, 1896, Pt. II, p. 1300.]

*Term of membership of the Municipal Committee.*

No. 7335, dated the 17th October, 1896.—In exercise of the powers conferred by clause (a) of sub-section (i) of section 102 of the Quetta Municipal Law<sup>1</sup>, the Officiating Agent to the Governor General is pleased to make the following rule as to the term of office of members of the Quetta Municipal Committee, that is to say:—

“The term of office of a member of the Committee shall be one year. Provided that when a member is appointed to fill a vacancy caused by the death, resignation or removal of a member, the term of office shall last until the appointment of a fresh Committee.”

[*Gazette of India*, 1896, Pt. II, p. 1084.]

*Proceedings at meetings of the Quetta Municipal Committee.*

No. 4464-R., dated the 7th November, 1923.—In exercise of the powers conferred by section 102 (1) (b) of the Quetta Municipal Law, 1896,<sup>1</sup> and in supersession of the rules promulgated in Notification No. 2597, dated the 20th April, 1898, the Agent to the Governor General in Baluchistan is pleased to make the following rules for the conduct of proceedings at meetings of the Quetta Municipal Committee:—

1. The members shall meet on the first and third Wednesday in every month, or if either of those days, be a Gazetted Holiday, on the follow-

<sup>1</sup> Printed *supra*, p. 23.

ing Wednesday at such place and hour as shall from time to time be determined by the Chairman. A special meeting may be held on any day the Chairman may fix.

2. Meetings may be either special or ordinary.
3. Special meetings shall ordinarily be held:—

- (i) For taking into consideration all questions connected with the taxation.
- (ii) For taking into consideration Budget estimates of income and expenditure.
- (iii) For taking into consideration the Annual Administration Report and such other matters as may be reserved for consideration at such meeting by the committee, and
- (iv) For any other question which the Chairman wishes to refer to a special meeting.

4. The Secretary shall despatch to each member a notice signed by him stating the place, date and hour fixed for each meeting, and attach to the notice a list in English and Urdu, setting forth the business to be transacted at the meeting. This list is hereafter called the Agenda.

5. Notice of an ordinary meeting shall be given at least 48 hours, and of a special meeting at least 24 hours, before the time fixed for the meeting, and shall be delivered to each member in person or left at his ordinary place of residence. Notice of an adjourned meeting shall be given at the time of adjournment, and the Secretary shall immediately thereafter, send in writing information thereof to such of the members of the committee who were not present at the meeting.

6. The quorum necessary for the transaction of business at a meeting shall be one third of total number of the members of the Committee.

7. The Chairman shall decide all points of procedure or order, and in any question of order which may arise his decision shall be final.

8. A member, when speaking, shall address the Chair and shall not make any personal remarks against any other member. If more than one member rises at the same time to speak the Chairman shall name the member who is to speak. A member shall not interrupt any other member who is speaking.

9. All business at meetings shall be conducted, both in English and Urdu.

10. At every meeting the minutes of the last meeting shall be laid before the meeting and considered as read provided—

- (a) That a copy of the proceedings of every meeting shall be supplied to every member previous to the next following

meeting. If for any reason a copy has not been supplied to the members the proceedings of the previous meeting shall be read.

- (b) That any member may raise any objection that the minutes have not been correctly recorded and any correction that a majority of the meeting considers necessary shall be made.

11. No matter on which the Committee has recorded a Resolution shall be again put before it for discussion except—

- (a) After the lapse of three months from the date of the Resolution.
- (b) With the special permission of the Chairman or in his absence the Vice-Chairman to its inclusion in the Agenda; or
- (c) At the written requisition of not less than one-third of the members of the Committee.

12. Matters entered in the Agenda shall be dealt with in the order in which they stand on the Agenda, provided that the Chairman may give priority to any particular matter or matters.

13. At all meetings of the Municipal Committee, except with the sanction of the Chairman, only such subjects shall be brought forward for consideration and decision as shall have been duly notified in the Agenda for the meeting.

14. If any amendments be put before the meeting in respect of any motion that may be under discussion, such amendments shall first be taken into consideration in the reverse order to that in which they have been moved.

15. Any person who is not a member of the Committee and who is personally interested in any particular subject which is to be discussed by the Committee may be allowed by the Chairman to be present while such particular matter is under discussion but he shall be permitted to speak on that subject only with the permission of the Chairman. The Chairman may cause to be summarily removed from the building in which the meeting is being held, such person if he interrupts the business of the meeting, behaves in an unseemly manner or disregards any injunction which the Chairman gives.

16. The Committee shall at their first regular or any other general or special meeting called for the purpose appoint such sub-committees as they consider necessary to assist in the administration and each such sub-committee shall consist of three or more members as may be nominated. Among others the following sub-committees may be appointed:—

- (i) Finance or Standing Sub-Committee.
- (ii) House Sub-Committee.

(iii) Loading Carts Sub-Committee.

(iv) Sanitary and Conservancy Lines Sub-Committee.

(v) Markets and Prices Sub-Committee.

The Committee may, consistent with the provisions of the Municipal Law and Rules and Orders which may from time to time be issued by the Local Government, prescribe the functions which shall be performed by each sub-committee.

17. Every member of a sub-committee shall be responsible under arrangements made by the Sub-Committee for the supervision of the administration of subjects allotted to the Sub-Committee.

18. The Chairman or Vice-Chairman if present at a meeting of a sub-committee shall take the chair, otherwise each Sub-Committee shall at each meeting appoint one of its members to be Chairman.

19. The Municipal Secretary or in his absence the Assistant Municipal Secretary shall act as Secretary of every sub-committee.

20. No matter within the cognizance of a sub-committee shall be put before the Committee for consideration until it has been dealt with by the sub-committee concerned.

21. The quorum for a meeting of a sub-committee shall not be less than three members or one-third of the number fixed.

22. The rules for the conduct of proceedings herein prescribed for Committees shall, *mutatis mutandis*, apply to Sub-Committees also.

23. The Committee, or the Chairman may appoint a special Sub-Committee to investigate and report on any matter and such special Sub-Committee shall be dissolved as soon as that matter has been disposed of by the Committee or the Chairman.

24. All receipts for money shall be signed by the Secretary <sup>1</sup>[or in his absence by the Head Clerk when the amount does not exceed Rs. 500] with the following exceptions:—

Receipts for Octroi shall be given under the responsibility of the North-Western Railway or signed by the Octroi Muharrirs as the case may be.

Receipts for conservancy cess, water rate, dog-tax, rent of shops, ground rent shall be signed by the cess Muharrirs or the Market Inspector as the case may be.

25. Every member of the Committee shall, during office hours, be entitled to inspect at the Municipal Office any Municipal document or record, including the record of any case before a sub-committee.

[*Gazette of India*, 1923, Pt. II, p. 99.]

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<sup>1</sup> Inserted by Notification No. 4772, dated the 10th December, 1926. *Gazette of India*, 1926, Pt. II-A, p. 463.

*Rules for the recovery, and other purposes, of the dog-tax.*

No. 986-A., dated the 31st March, 1910.—In exercise of the powers conferred by sections 102 (1) (c) and 104 (1) of the Quetta Municipal Law<sup>1</sup> \* \* the Agent to the Governor General is pleased to prescribe the following rules for the collection of the tax imposed on dogs kept within the limits of the Quetta Municipality:—

- (1) the tax shall be payable by the person owning or having charge of a dog;
- (2) the tax shall be paid on such date or dates as the Revenue Commissioner may prescribe, either at the office of the Municipal Secretary or to any person presenting a receipt for the same signed by the Municipal Secretary;
- (3) on payment of the tax the Municipal Secretary will supply free of cost a label of distinctive colour for each year, which shall be fastened in a conspicuous manner to the collar of the dog in respect of which the tax is paid. Persons exempted under the Notification<sup>2</sup> No. 986, dated the 31st March, 1910, from payment of this tax shall apply to the Municipal Secretary for a similar label for each dog for which exemption is proved and this will be supplied to them on payment of the cost price of the label. A register showing all dogs for which labels have been issued with the names of their owners shall be maintained by the Municipal Secretary;
- (4) dogs without such labels shall be considered ownerless for the purpose of section 94 of the Quetta Municipal Law;
- (5) the owner of any dog impounded under section 94 of the Quetta Municipal Law for being found within Municipal limits without a badge shall be liable to refund to the Municipal Committee all costs incurred for its keep even if the dog shall have been destroyed by order of the Municipal Committee.
- (6) Any breach of these rules shall be punishable on conviction by a Magistrate with a fine which may extend to Rs. 50 and when the breach is a continuing breach with a further fine which may extend to Re. 1 for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

[*Gazette of India*, 1910, Pt. II, p. 512.]

<sup>1</sup> Printed *supra*, p. 23.

<sup>2</sup> Printed *supra*, p. 204.

*Rules for the recovery, and other purposes, of the dog-tax, within Railway Area at Quetta.*

No. 745-R., dated the 13th March, 1915.—In exercise of the powers conferred by sections 102 (1) (c) and 104 (1) of the Quetta Municipal Law,<sup>1</sup> as applied to the Railway Area at Quetta by Foreign and Political Department Notification No. 879-D., dated the 21st December, 1914,<sup>2</sup> the Hon'ble the Agent to the Governor General is pleased to prescribe the following rules for the collection of the tax imposed on dogs kept within the limits of the Railway Area at Quetta as specified in the said notification :—

- (1) the tax shall be payable by the person owning or having charge of a dog;
- (2) the year shall be the financial year and the tax shall be payable on the 1st May each year, or as soon as the dog, for which the tax is due, has been within the said area for 30 days in any one year;
- (3) the tax shall be paid either at the office of the Municipal Secretary, Quetta, or to any person presenting a receipt for the same signed by the said Secretary;
- (4) on payment of the tax the Municipal Secretary, Quetta, will supply free of cost a label of distinctive colour for each year, which shall be fastened in a conspicuous manner to the collar of the dog in respect of which the tax is paid. Persons exempted under Notification No. 744-R., dated the 13th March 1915,<sup>3</sup> from payment of this tax shall apply to the Municipal Secretary, Quetta, for a similar label for each dog for which exemption is proved, and this will be supplied to them on payment of the cost price of the label.

A register showing all dogs for which labels have been issued with the names of their owners shall be maintained by the Municipal Secretary, Quetta :—

- (5) dogs without such labels shall be considered ownerless for the purpose of section 94 of the Quetta Municipal Law;
- (6) the owner of any dog impounded under section 94 of the Quetta Municipal Law as having been found within the limits of the said Railway Area without the prescribed label shall be liable to refund all costs incurred for its keep even if the dog shall have been destroyed;

<sup>1</sup> Printed *supra*, p. 23.

<sup>2</sup> Printed *supra*, p. 54.

<sup>3</sup> Printed *supra*, p. 205.



- (7) any breach of these rules shall be punishable on conviction by a Magistrate with a fine which may extend to Rs. 50, and when the breach is a continuing breach with a further fine which may extend to Re. 1 for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

[*Gazette of India*, 1915, Pt. II, p. 619.]

*Rules for the collection of Octroi Duties at Quetta, as sanctioned by the Agent to the Governor General in Baluchistan in 1891.*

1. For the purposes of Octroi the term "Municipal limits" means grounds included in the Civil town or station of Quetta, including Railway station and Railway quarters and the Cantonments as marked with boundary pillars.

2. Octroi duties will be levied according to the Schedule hereto appended. Articles not mentioned in the Schedule will be exempt from duty.

3. Octroi duties shall be payable on demand, and shall be levied and collected by, and under the management of the Political Agent and Officers subordinate to him <sup>1</sup>[which term shall include the Octroi Staff, the Secretary and the Assistant Secretary of the Municipal Committee and such other official or member of the Committee whom the Political Agent may from time to time authorize on this behalf.]

4. Every person in charge of goods shall, on arrival at the Octroi station, either make a declaration stating the description, quantity and value of the goods in his charge, or present a regular invoice for the same.

<sup>1</sup>[4. (a) In the case of goods imported by rail the duty shall be paid at the octroi sub-office by producing Railway receipt or invoice or by making a declaration stating the description, quantity and value of the goods, before the delivery of goods is taken from the Railway.]

<sup>1</sup>[5. If there is cause to challenge any such declaration made under rule 4 and 4 (a) or to question the correctness of the invoices, the goods imported by road shall be sent with the declaration or invoice to the Octroi Head Office where they will be examined and weighed by the Octroi Superintendent and duty will be charged according to the actual value or weight as the case may be. In the case of goods imported by rail the consignee or his representative shall keep a deposit sufficient to cover the octroi duty to be calculated according to the Quetta bazar rates and obtain a rawana, the invoice remaining with the octroi sub-office till such time as the consignment is brought back to the octroi sub-

<sup>1</sup> Inserted and substituted by Notification No. 3581, dated the 24th August, 1927. *Gazette of India*, 1927, Pt. II-A, p. 377.

office and contents examined. Should the contents prove to have been under-valued or wrongly described in the invoice, action will be taken against the importer under rule 9.]

6. Subject to the provisions of the aforesaid section the duty on articles assessed *ad valorem* shall be levied according to the invoice value. The duty on articles assessed by weight shall be levied on the net weight, such abatement being made from the gross weight on account of packings, lashings, etc., as may be from time to time prescribed by the Political Agent.

7. If the person in charge of the goods on which an *ad valorem* duty is chargeable cannot produce the invoice of the goods, the <sup>1</sup>[Superintendent] will levy the duty calculated on the rates prevailing at the time in the Quetta Bazar.

8. Should the Barrier Mohirer have any suspicion regarding the contents of any package or parcel or box, he shall send the same to the Octroi <sup>1</sup>[Superintendent], who will, if necessary, open the package, parcel or box.

9. On examination of the package, parcel or box, should the <sup>1</sup>[Superintendent] find that the contents have been wrongly described in order to defraud the Municipality, he shall levy the ordinary Octroi, and send the case up to <sup>1</sup>[such Magistrate as is authorised by the Political Agent to deal with octroi cases], who will levy a fine not exceeding ten times the duty.

\* 10. No article will be allowed to pass into the town or Cantonment unless the duty has been paid thereon.

11. Should the person in charge of the goods or articles refuse to pay the duty, the goods or articles will be detained for 4 days, after which a report will be made to the <sup>1</sup>[Magistrate referred to in rule 9 above], who will order a sufficient quantity of the goods to be sold as will pay the duty.

The remainder, if not taken away after a further period of 4 days, will be sold by auction, provided that, by order of the Municipal Secretary, Quetta, articles of a perishable nature which could not be kept for four days without serious risk of damage, may be sold after the lapse of such shorter time as he may, having regard to the nature of the articles, think proper.

NOTE.—The period ordinarily allowed by the Law is 5 days, but the Political Agent can order the sale of perishable articles after the lapse of shorter term (Section 35 of the Law).

<sup>1</sup> Substituted by Notification No. 3581, dated the 24th August, 1927. *Gazette of India*, 1927, Pt. II-A, p. 377.

\* The Political Agent, Quetta, is empowered to grant remission of octroi in individual cases where he is satisfied that strict enforcement of the rules would be inequitable.

12. The proceeds will be credited into the Treasury to deposits. Should the amount remain unclaimed for six months, it will be credited to the Municipal Funds after which no claims to it will be admitted.

13. Goods, which are the property of Government at the time of import, shall pass free, if accompanied by an invoice, with an endorsement of the proper Government officer certifying that they are the property of Government.

No duty shall be levied on dutiable goods imported by rail if they are re-booked to other stations without being removed from the Railway premises, or are taken outside the Octroi limits by road under a Rahro Rawana.

<sup>1</sup>[13. (a) Goods intended for markets other than Quetta, when passing through the Quetta Municipal limits, must be shown to, and a Rahro Rawana obtained from, the Muharrir of the octroi barrier through which they enter the Municipal limits. The Muharrir will note the time and date on these Rawanas. The goods should go direct towards their destination, and must pass out of the Municipal limits the same day. The Muharrir of the barrier, through which the goods pass out, shall endorse on the Rahro Rawana the time and date of their passing out.

NOTE.—This rule, however, does not apply to coal and coal dust stored at the Railway Station for export by rail.]

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14. (a) Stores imported for *bonâ fide* use in the Mission Hospital, Quetta, will be exempted from Octroi duty, when accompanied by a certificate from the Doctor in charge of the Hospital.

14. (b) The Military equipment of Military Officers such as uniform, arms, camp equipage, saddlery, etc., which they are required to keep up by Regulations will be exempt from the payment of Octroi duty.

The following certificate should be furnished by the Officer concerned:—

I, \_\_\_\_\_ hereby certify on honour that the following articles imported by me are part of the equipment which I am required to keep up by Regulations.

14. (c) Refunds of Octroi duty shall be permitted on European goods, transferred by the Quetta Branch of a firm to another Branch of the same firm in India. The goods at the time of re-export should be packed in the presence of the Octroi <sup>2</sup>[Superintendent] and an invoice prepared. The invoice should then be priced and submitted to the

<sup>1</sup> Added by Notification No. 1254-R., dated the 17th April, 1924. *Gazette of India*, 1924, Pt. II-A, p. 146.

<sup>2</sup> Omitted by Notification No. 3581, dated the 24th August, 1927. *Gazette of India*, 1927, Pt. II-A, p. 377.

<sup>3</sup> Substituted by ditto.

Municipal Secretary. The prices should be those at which the Octroi was paid when the goods were imported into Quetta.

<sup>1</sup>[14. (d) The following articles are exempt from octroi duty:—

- (a) The produce of their lands imported by certain residents of Killa Kansu and neighbourhood to the extent which has been fixed by the Political Agent in each case. This concession is subject to reconsideration after 31st March, 1928.
- (b) Grain and fodder imported by Levy Sowars of the Irrigation Department as well as by the Civil Department for the feed of their animals.
- (c) Grain and fodder purchased in bulk for the *bonâ fide* use of the Police Sowars at Quetta.
- (d) Green Lucerne and forage.
- (e) Fresh fruit grown within the octroi limits.
- (f) Articles received by parcel post.
- (g) A vehicle imported by a person subject to the Army Act 1911, and required by that Act to maintain a charger; provided that such person (i) is compelled by the exigencies of Military Duty to reside within the octroi limits, and (ii) is permitted by his official superior to keep such vehicle in lieu of a charger.]

15. For all octroi duties levied, a receipt will be granted specifying the quantities and nature of the goods and the date of their importation. (*Vide* Section 28 of the Law).

16. Any person importing goods for another market can keep them in the state in which they are received, in any place authorised by the Political Agent, or in the case of goods in transit between India, Persia and Afghanistan in the Seistan Sarai. But should any portion of the consignment be sold for consumption at Quetta, octroi duty shall be paid on the portion sold.

Should goods declared as intended for re-exportation be left for more than three months unexported, it will be presumed that they are intended for use in Quetta, and the usual octroi shall be levied, unless the owner or importer can show, to the satisfaction of the Political Agent, that the re-exportation has been unavoidably delayed, and that he still intends in good faith to export the goods.

If the goods in transit be exported by rail, the owner shall produce the Railway receipt to prove the fact of exportation at the Head Octroi Office.

<sup>1</sup> Substituted by Notification No. 3581, dated the 24th August, 1927. *Gazette of India*, 1927, Pt. II-A, p. 377.

Goods imported and sold for exportation will not be liable to octroi duty.

17. Passengers travelling by rail will be allowed to import made-up clothes for their personal use, which they may bring up with them in their carriage free of duty.

18. Whoever evades, or attempts to evade, or abets the evasion of payment of octroi duty, shall on conviction for each offence be punishable with fine not exceeding fifty rupees.

19. Persons being aggrieved with the decision of the <sup>1</sup>[Superintendent] of Octroi may refer the matter to the Municipal Secretary, Quetta. Appeals from the Municipal Secretary's orders under these rules shall lie to the Political Agent, Quetta, whose decision will be final (see Section 29 of the Law regarding appeals against taxation).

20. The District Magistrate can authorize any Magistrate under his jurisdiction to try any case under these rules.

21. The Political Agent of Quetta will make subsidiary rules regarding duties of Octroi Collectors, custody of moneys collected, Registers to be kept and returns, etc., to be submitted.

<sup>1</sup>[Form of Certificate prescribed under Rule 13.]

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[Quetta Municipal Manual, p. 49.]

*Rules for supply of water by house connections from mains.*

No. 2852-R., dated the 27th August, 1924.—In exercise of the powers conferred by section 102 (1) (c) of the Quetta Municipal Law, 1896,<sup>2</sup> the Hon'ble the Agent to the Governor General in Baluchistan is pleased to notify the following in supersession of all previous rules for regulating the supply of water by house connection from the mains:—

The rules that follow shall come into force with effect from the 1st October, 1924, and shall apply to the whole of the water distribution system within the limits of the town and Civil Lines of Quetta excepting only the Railway main pipe which runs along the Lytton Road South of its junction with the Prince Road, over this pipe the Railway Department have exclusive control subject only to the condition that they do not take therefrom more than 150,000 gallons a day without permission of the Agent to the Governor General.

1. All mains are the property of the Municipality and will be maintained by them with the exception that in the case of additional mains required largely or solely for Government purposes the initial cost of such mains shall be borne jointly by the Government Department con-

<sup>1</sup> Substituted and omitted by Notification No. 3581, dated the 24th August, 1927. *Gazette of India*, 1927, Pt. II-A, p. 377.

<sup>2</sup> Printed *supra*, p. 23.

cerned and the Municipality proportionally to the benefits accruing to each from the mains. Such mains shall be laid and maintained by and remain the property of the Municipality.

2. The use for domestic purposes of the stand posts fixed or to be fixed in the public roads is free to all classes and castes, but the hydrants and fire plugs are under the control of the Municipality. Additional stand posts and hydrants will be fixed from time to time as required in positions convenient to the public at the expense of the Municipality.

3. A supply of water for domestic purposes does not include a supply for animals, or for washing carriages, where such animals or carriages are kept for sale, or hire, or a supply for any trade, manufacture or business or for fountains, public baths, or for the washing of clothes by dhobis or for any ornamental or mechanical purposes or for building purposes.

<sup>1</sup>[NOTE.—The use of the stand-posts fixed in Gowalmandi and Garihata is free to the Gowalas and cartmen for watering their animals.]

4. Service connections to bring water from the mains inside the premises of public offices, and Municipal buildings, and private houses will be given under these rules provided that there is sufficient water available after supplying all standposts and hydrants in the public roads, on which point the final decision shall rest with the Agent to the Governor General.

5. <sup>2</sup>[If any person requires a connection from a sub-main for building purposes as a temporary measure, it may be sanctioned by the Committee, if water be available, provided that in all such cases the connection shall be installed at the applicant's expense, and fees charged at Rs. 12 per mensem.]

6. The first cost of making service connections shall, in the case of public buildings be met by the Department concerned and the expenditure thereon shall be added to the value of the buildings. In the case of private houses the cost of laying sub-mains shall be borne by the Municipality, whenever the aggregate value of the fees to be realised yields a return of not less than 10 per cent. on the outlay incurred by the Municipality. The cost of piping from the line to the house and the fittings which must be paid in advance will be paid by each individual concerned.

The maintenance of the service connection in proper order will rest in all cases with the Municipality. Cost of such repairs to the water apparatus as are caused by fair wear and tear will be borne by the Municipality, but the cost of all damage done to the exposed portion of this service connection through carelessness and rough usage on the

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<sup>1</sup> Added by Notification No. 1700-R., dated the 29th April, 1927. *Gazette of India*, 1927, Pt. II-A, p. 221.

<sup>2</sup> Substituted by ditto.

part of the house owners will be paid for by them, the final decision in such cases shall rest with the Committee.

Persons requiring service connection for private house should address the officer appointed by the Municipality to receive and deal with such applications.

7. All service connections except to Government buildings will be laid and maintained by the Municipality and no additions or alterations will be permitted without an order from the Municipality who will carry out all work in connection with water supplied to private houses.

Any tampering with or wilful damage to any part of the service connections will render the owner or occupier of the house liable to the cost of any repairs that may be found necessary.

8. In case of Government buildings the department concerned will after due arrangement with the Municipality as to the size of connection, etc., lay and maintain at their own expense the service connections from the boundary of the Government land, such connections remaining the property of the Department which will also bear the expense of any extension from the Municipal main. The Municipality shall have access to Government buildings to ensure that no waste of water occurs.

9. <sup>1</sup>[(a) Scale of charges for water connections to houses, etc., within the Municipal limits of the Quetta Municipality shall be as under:—

Factories at Rs. 4 per mensem,  $\frac{1}{4}$ " ferrule.

Hamams at Rs. 4 per mensem,  $\frac{1}{4}$ " ferrule.

Dairies at Rs. 4 per mensem,  $\frac{1}{4}$ " ferrule.

Hotels at Rs. 3 per mensem,  $\frac{1}{4}$ " ferrule.

Sharbat shops at Rs. 2 per mensem,  $\frac{1}{4}$ " ferrule.

Hatas (two or more houses having a common connection) at Rs. 2 per mensem,  $\frac{1}{4}$ " ferrule.

Houses at Re. 1 per mensem,  $\frac{1}{4}$ " ferrule.

Additional taps at Rs. 0-4-0 per tap,  $\frac{1}{4}$ " ferrule.

		1st Class houses rental under Rs. 80 rental and upwards	2nd Class houses rental under Rs. 80 but not under Rs. 30.	3rd Class houses rental under Rs. 30.
		Per mensem.	Per mensem.	Per mensem.
		Rs. A. P.	Rs. A. P.	Rs. A. P.
Ferrule	.	6 4 0	3 12 0	1 4 0
$\frac{1}{2}$ " Do.	.	10 3 0	6 0 0	2 8 0
$\frac{3}{4}$ " Do.	.	25 0 0	15 0 0	10 0 0
3" Do.	.	38 4 0	23 0 0	19 8 0

<sup>1</sup> Substituted by Notification No. 456-R., dated the 27th January, 1928. *Gazette of India*, 1928, Pt. II-A, p. 34.

The rate for additional taps will be Rs. 0-4-0 per tap.

(b) The Quetta Club Limited, Quetta, shall be charged a consolidated rate of Rs. 50 per mensem, for all its connections.]

10. If water be used for any part of a month not exceeding 15 days, half the above rates will be charged, but if more than 15 days, the full monthly rate will be levied.

Bills for water rates shall be issued not later than the 15th of the month following that in which the water to be charged for was consumed, and the payments should be made on or before the last day of the month in which the bills are issued. If the money is not paid on or before this date, a notice will be served to the effect that unless the rate be paid by the 15th of the succeeding month, the water supply will be cut off.

11. Persons desiring to discontinue taking water are required to give ten days' notice in writing of their wish, to the Secretary of the Municipality or to such other officer as may be nominated by the Committee on this behalf.

12. <sup>1</sup>[(a) In case of connections to houses, etc., to be constructed hereafter, such connections shall be given without meters.

(b) The present meters, fixed to various water connections shall not be replaced when they become irreparable.]

In case of a block of tenements each house occupied by a separate family will be given a separate house connection, if applied for, but no joint connection will be given for the use of the whole of such block.

13. When any meter, constructed before the 31st March, 1924, at the expense of the owner of a house, gets out of order and is, in the opinion of the Municipal Secretary and Engineer irreparable he may remove the meter, by giving one month's notice to the owner of the house and may not replace it either at the expense of the owner or the Municipality, and may from the date of such removal, charge monthly fees according to the scale laid down in Rule 9.

14. Water supplied by meter measurement will be charged for at a uniform rate of annas four per 1,000 gallons. The Municipality shall be entitled to demand the quantitative rate or the minimum rate chargeable under Rule 9 whichever be greater, and in all cases it will be a condition of the supply that water shall on no account be permitted to run to waste. Bills for water fees chargeable under this rule shall be sent to the owners quarterly, and the amount shall be payable within fifteen days of the date of notice, the failure of payment on due date shall render the supply liable to be cut off.

During the winter months when it is found necessary to keep the taps open owing to frost, a proclamation will be made to that effect, and

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<sup>1</sup> Substituted by Notification No. 1700-R., dated the 29th April, 1927. *Gazette of India*, 1927, Pt. II-A, p. 221.



the charges made for the period during which such proclamation is in force will be based on the average daily consumption of 30 days preceding the date of such proclamation.

15. The charge to be made for water consumed during the time a meter is out of order or under repair will be based on the average of the immediately preceding and next succeeding reliable readings. The latter reading should be taken within a fortnight of the repairs to the meter having been completed.

16. In all cases of private connections in which the Municipal Secretary has reason to believe that a waste of water is occurring the house owner will be served with a notice to the effect that he should show cause within seven days why the supply of water should not be cut off from his house until such time as a meter has been provided and fixed at his expense and if he fails to show such cause to the satisfaction of the Committee, action will be taken according to terms of the notice.

In the case of a Government Department notice of any waste of water will be sent to the Official concerned.

17. If leakage should occur in a service pipe or connection, the owner or occupier of the house is bound to give early notice of such leakage to the Municipality.

18. In the foregoing rules, wherever the word "Municipality" occurs in connection with laying, supervision and maintenance of water supply pipes and fittings it is understood that the Municipal Engineer or any official deputed by him acts for and under the orders of the Quetta Municipality.

19. Any infringement of the foregoing rules will render the water supply liable to be cut off, and the offender shall also be liable to such penalty as is provided in the Quetta Municipal Law, 1896.

[*Gazette of India*, 1924, Pt. II-A, p. 288.]

#### *Provident Fund Rules.*

*No. 5885, dated the 1st December, 1909.*—The Hon'ble the Agent to the Governor-General in Baluchistan is pleased to notify the following rules which have been made under the provisions of clause (i) (d) of section 102 of the Quetta Municipal Law, 1896,<sup>1</sup> as amended by Foreign Department Notification No. 3947-Est. (B), dated the 26th November 1909, for the management and regulation of the Provident Fund established by the Political Agent under sub-section 3 to section 18 of the said Law.

These rules will come into force with effect from the 1st December 1909.

<sup>1</sup> Printed *supra*, p. 23.

PROVIDENT FUND RULES.

1. In the following rules—

- <sup>1</sup>[(1) “ Salary ” means monthly salary, and does not include travelling or conveyance allowance.]
- (2) “ Servant ” includes every non-pensionable employé holding a substantive office under the Quetta Municipal Committee
- (3) “ Depositor ” means a servant on whose behalf a deposit is made under these rules.
- (4) “ Interest ” means the interest which is paid on a deposit at a Government Savings Bank under the rules in force for such institution.

2. Every servant appointed or promoted by the Committee on or after the date from which these rules come into effect in the Municipality to an office of which the salary is not less than *Rs. 20* shall be required to subscribe at the rate of  $6\frac{1}{4}$  per cent., or one anna in the rupee, on his salary to a Provident Fund, of which an account will be opened at the Post Office Savings Bank. A servant appointed or promoted previous to the coming into effect of these rules to an office of which the salary is not less than *Rs. 20* may be permitted by the *Political Agent* to subscribe to the Fund. The deduction shall be made by the *Political Agent* upon every salary bill presented, and shall be credited at once to the Fund. In making this deduction fractions of a rupee of salary should be omitted.

3. The *Political Agent* shall make a contribution to the deposit account of each depositor <sup>2</sup>[not exceeding] the amount of the deduction made from his salary under the preceding rule. Such contribution shall be credited to the Fund month by month, in favour of such servant, together with the deduction from his salary. The contribution will be charged in the Municipal Accounts to *F.—Miscellaneous*, sub-head “ 5—Provident Fund.”

<sup>3</sup>[On joining the service of the Committee either on first appointment or by transfer from the service of a Local or Bazar Fund in Baluchistan, each depositor shall sign an agreement in Form C annexed to these rules.]

4. The sums credited monthly under rules 2 and 3 to the Provident Fund Ledger maintained by the Municipal Committee, shall be paid

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<sup>1</sup> Substituted by Notification No. 4020, dated the 7th September, 1918. *Gazette of India*, 1918, Pt. II, p. 1736.

<sup>2</sup> Substituted by Notification No. 1145-R., dated the 3rd May, 1917. *Gazette of India*, 1917, Pt. II, p. 882.

<sup>3</sup> Added by Notification No. 1453-R., dated the 23rd April, 1914. *Gazette of India*, 1914, Pt. II, p. 1060.

duly in the Post Office Savings Bank. Such payments should whenever possible be made into the Bank between the 1st and 4th of each month, in order that interest may accrue.

5. The deposits and contributions with interest thereon at the credit of any servant may be withdrawn:—

(1) On the decease of the depositor, when the amount shall be paid to his legal heirs.

(2) On his ceasing to be a servant of the Committee, either by resignation or by transfer to service under some other Local Fund <sup>1</sup>[for the servants of which a Provident Fund has not been established] or to Government service, when the amount shall be paid to the servant himself.

<sup>1</sup>(3) On his transfer to service under a Local or Bazar Fund in Baluchistan for the servants of which a Provident Fund may have been established on the same lines as those set forth in these rules, when the amount shall be placed to his credit with the Local or Bazar Fund to the service of which he is transferred.

NOTE.—The remittance charges will be borne by Fund making the remittance.]

6. If a servant is dismissed the *Political Agent* may, with the sanction of the Revenue Commissioner, withhold all or any part of the contribution allotted to him with the interest accrued thereon, and pay to the servant only the balance at his credit without such contribution and the interest thereon.

<sup>2</sup>[(a) When the pecuniary circumstances of a subscriber are such that the indulgence is absolutely necessary, a temporary advance not ordinarily exceeding three months' pay may be allowed from the sum at the depositor's credit (exclusive of the contributions made from the fund), at the discretion of the Deputy Commissioner or the Political Agent.

(b) When one or more advances have already been granted to a subscriber, a subsequent advance shall not be granted to a subscriber except for strong reasons to be recorded by the sanctioning authority until at least twelve months have elapsed since the complete repayment of the last advance taken.

(c) Advances will be recovered at the discretion of the sanctioning authority in not less than twelve instalments or more than twenty-four. A subscriber may, however, at his option make repayment in less than

<sup>1</sup> Inserted by Notification No. 1453-R., dated the 23rd April, 1914. *Gazette of India*, 1914. Pt. II, p. 1060.

<sup>2</sup> Added by Notification No. 1040-R., dated the 16th March, 1921. *Gazette of India*, 1921. Pt. II, p. 438.

twelve instalments or may repay two or more instalments at the same time.

(d) Recoveries will be made monthly commencing from the first payment of a full month's salary after the advance is granted but no recovery will be made from a subscriber while on leave of any kind.

(e) The instalments will be paid by compulsory deductions from salary and will be in addition to the usual subscription.]

In the case of there being any outstandings against a servant who may have resigned or been dismissed, the *Political Agent* may deduct the amount of such outstandings from his deposits, and pay him the balance only after such deduction.

7. Any contribution and interest thereon withheld from a dismissed servant shall belong to the Municipality.

8. A separate account in Form A, appended, shall be kept and written up in the office of the Municipal Committee on account of every depositor, and a copy of this account which shall show every payment credited, with the interest thereon, shall be furnished to every depositor as soon as possible after the close of the financial year to which the account relates.

9. Amounts credited or debited to the Provident Fund shall, on the same day, be posted into the Provident Fund Ledger, in Form B, appended, in full detail. The figures for column 8 of the Ledger must be calculated monthly, and the net balance of each account entered in columns 5 and 9; but the figures in the columns can be proved only once a year with the Savings Bank Pass Book. Great care should, therefore, be taken to make the monthly calculation according to the rule in force in the Post Office. The Provident Fund Ledger shall have separate pages for each month's transactions.

10. *No deposits other than those* prescribed by the rules will be credited to the Provident Fund.

11. Servants are not eligible to subscribe to the Provident Fund while absent on leave other than privilege leave.

12. On a depositor leaving the service, his account shall be closed, and unless the amount at his credit be withdrawn within a certain period, *viz.*, for balances of Rs. 10 and under, one year; for balances over Rs. 10, three years; it shall be written off as a dead account, and repaid only under the orders of the Revenue Commissioner in Baluchistan.

13. When accounts become "dead" they must be removed from the Provident Fund Ledger, and be credited in the Cash-Book as a Miscellaneous receipt, the money being drawn out of the Savings Bank. On an amount being thus written off, it should be entered in a "dead

account" register, in which subsequent repayment shall be noted in order to avoid a double payment.

<sup>1</sup>[14. The Hon'ble the Agent to the Governor General reserves to himself the power to vary the foregoing rules as may from time to time be necessary but not so as to injure the interests of the servants who at the time of such alteration are depositors of the Provident Fund.]

## FORM A.

*Municipal Officers' Provident Fund, Quetta Municipality. Deposit account for the year ending 31st March 19 .*

[illegible]

<sup>1</sup> Added by Notification No. 1453-R., dated the 23rd April, 1914. *Gazette of India*, 1914, Pt. II, p. 1060.

FORM B(1).

*Provident Fund Ledger—Quetta Municipality.*

CREDITS.									REMARKS.
Date of receipt.	Number of depositor.	Name.	Appointment.	Opening balance.	Deduction from salary.	Municipal contribution.	Interest.	Total.	
1	2	3	4	5	6	7	8	9	10
				Rs. A.P.	Rs. A.P.	Rs. A.P.	Rs. A.P.	Rs. A.P.	When payments are made the date of payment and the amount will be entered in the column of remarks.

## FORM B(2).

*Register of Debits of Provident Fund—Quetta Municipality.*

[illegible]

<sup>1</sup>[FORM C.

I son of caste resident of occupation hereby agree, covenant and bind myself, for so long as I remain in the service of the Quetta Municipal Committee, to subscribe at the rate of  $6\frac{1}{4}$  per cent. on my salary (or one anna in the rupee) to the Provident Fund established for the benefit of the servants paid by the said Committee under the rules framed by the Hon'ble the Agent to the Governor General in Baluchistan, by which I hereby agree to abide.

And I now declare that in the event of my death before leaving the service of the said Committee the amount to my credit in the Provident Fund is to be paid to my legal heir (or heirs) whose receipt will be a full and final discharge for the amount so paid.

Signature of Depositor.

Signature of two witnesses.

{ 1st witness.  
2nd witness.

Countersigned.

Political Agent.]

Date

[*Gazette of India*, 1909, Pt. II, p. 1875.]

*Rules for the registration of births and deaths.*

No. 4719, dated the 8th July, 1898.—The following rules under section 102 (g) of the Quetta Municipal Law,<sup>2</sup> for effecting the registration of births and deaths, having received the approval of the Agent to the Governor-General, are published for general information:—

- (I) When a birth or death shall occur in any household within the Municipal limits, the head of the household shall, within seven days, make a report of the occurrence either orally at the Municipal office, or by writing addressed to the Secretary to the Municipal Committee. If, for any sufficient reason, the head of the household be unable to make the report, it shall be made by any adult member of his family residing in the house or on the premises, or, failing any such, then by an adult male servant so residing.

<sup>1</sup> Added by Notification No. 1453-R., dated the 23rd April, 1914. *Gazette of India*, 1914, Pt. II, p. 1060.

<sup>2</sup> Printed *supra*, p. 23.

- (2) The Civil Surgeon shall furnish the Secretary to the Municipal Committee, not later than the 15th day of each month, with a return of births and deaths occurring during the previous calendar month in the jail, hospital and other institutions under his charge.
- (3) In the case of births occurring in any public institution not under the charge of the Civil Surgeon, the person in charge of the same shall, within 15 days, make to the Secretary to the Municipal Committee a written report of the occurrence.
- (4) The reports and returns required in rules 1 to 3 preceding shall contain the following particulars, namely—
  - (A) as to births—
    - 1. Date of occurrence.
    - 2. Sex of child.
    - 3. Name of father.
    - 4. Residence of father.
    - 5. Occupation (if any), religion of father.
    - 6. Name of person making the report or return.

Provided, in the case of illegitimate children, that, at the option of the person making the report or return, the name, residence, caste (if any) and religion of the mother may be substituted for particulars 3, 4 and 5.

- (B) as to deaths—
    - 1. Date of occurrence.
    - 2. Name of deceased.
    - 3. Father's name, or, in the case of a married woman, husband's name.
    - 4. Sex.
    - 5. Age.
    - 6. Occupation, caste (if any), religion.
    - 7. Residence.
- (5) In the case of a dead body found exposed, the District Superintendent of Police, Quetta, shall, within seven days, report the fact with, if possible, a certificate from the Civil Surgeon as to cause of death.
- (6) Two separate registers shall be kept by the Secretary to the Municipal Committee in which the particulars aforesaid as to births or deaths respectively shall be duly entered within



48 hours of receipt. These registers shall be open during the office hours to inspection by any inhabitant of the Municipality, and the Secretary shall be bound to give, on application and tender of costs incurred, certified extracts therefrom to persons interested.

(7) No person shall wilfully destroy or injure, or cause to be destroyed or injured, any register of births and deaths, or wilfully insert, or cause to be inserted, in any such register or certified copy thereof, any false entry of any births or deaths.

(8) Any breach of these rules shall be punishable, on conviction by a Magistrate, with fine which may extend to Rs. 50, and, when the breach is a continuing breach, with a further fine which may extend to Rs. 50 for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

[*Gazette of India*, 1898, Pt. II, p. 779.]

*Breaches of the cart rules to be cognizable by the Police.*

No. 2238, dated the 19th April, 1904.—In exercise of the powers conferred on him by section 102 (1), clause (b),\* of the Quetta Municipal Law, 1896,<sup>1</sup> the Hon'ble the Agent to the Governor-General in Baluchistan is pleased to order that any breach of the provisions of the above<sup>2</sup> bye-laws shall be cognizable by the police.

[*Gazette of India*, 1904, Pt. II, p. 477.]

*Regulation of Markets.*

No. 2104-R., dated the 27th May, 1920.—In exercise of the powers conferred by clause (gg.) of section 102 (1) of the Quetta Municipal Law, 1896,<sup>1</sup> the Agent to the Governor-General in Baluchistan is pleased to make the following rules for the inspection and proper regulation of markets owned by the Quetta Municipality, the preparation and exhibition of a price current and the fixing of the fees, rents and other charges to be levied in, such markets.

1. The lessees of shops and stalls in the markets shall pay such fees, rents, taxes and other charges which may be fixed by the Municipal Committee from time to time under proper authority, and every lessee shall hold the lease under the terms which may be fixed by the Committee from time to time.

\* Sic read "(h)."

<sup>1</sup> Printed *supra*, p. 23.

<sup>2</sup> Printed *infra* p. 245.

2. The market will be open at such hours as may be fixed by the Committee from time to time.

3. Every shopkeeper or stall holder in a market shall keep his shop or stall or meatsafe in a thoroughly clean condition, and shall allow no refuse or garbage to remain in or about it, but shall from time to time as often as occasion may require cause such refuse or garbage to be placed in the receptacles provided for the purpose; the gauze doors where they have been provided shall be kept closed as much as possible and any flies which may get in must be killed with a fly flapper.

4. All stalls, safes and chopping blocks must be thoroughly washed and cleaned after the day's business is over. The surface of the chopping blocks should be cut fresh every Monday and kept covered with a tin case two inches deep when not in use.

5. No table or other article of furniture, besides the iron tables provided by the Municipality, will be kept in the shops or stalls in markets intended for the sale of mutton and beef, except a small box for locking up knives, scales, etc., at night.

6. No live stock shall be kept within the market area except temporarily in crates or pens during the hours the market is open. All pens must be washed daily.

7. No person shall place or expose for sale, in a market any article in such a manner as to obstruct any passage in such market.

8. Every vendor in a market shall at all times when present in the market be dressed in reasonably clean clothes, and shall use only clean paper for wrapping up meat, fish, or fruit sold to customers.

9. No person present at a stall where meat or fish is sold shall occupy such a position that any portion of his person or clothing is in contact with such meat or fish.

10. No packing cases, baskets or other similar articles shall be kept anywhere in the Fruit market, except in the rooms behind the shops and in the enclosure provided for them. Any such articles found in front of the shops shall be liable to be confiscated. All packing must be done in the enclosures which will be set apart for the purpose, and which shall be kept clean by the shopkeepers to whom they are allotted. The passage leading into the room behind the stalls and the front path must be kept clear. The vegetable sellers will be allowed only one hour after the arrival of the vegetables in the market to unpack them in the yard in front of their shops and place them on the stalls. No fruit, clothes or any other articles except lamps shall be suspended from the roof.

11. All articles exposed in the market should be of good quality; and, only meat and beef of the animals slaughtered in the Municipal

Slaughter House previously passed by the Inspecting Officer appointed on this behalf by the Political Agent, Quetta, shall be sold in the market.

12. Entrails and raw and dried hides shall not be kept in the market; offals that is head, liver, tongues, etc., may only be kept and sold in shops which will be specially allotted for the purpose.

13. Any decomposed fruit or vegetables, meat, fish, game or eggs, unfit for human consumption; and any entrails, raw or dried hides and offal found in any part of a market except in the shops allotted for the sale of offal, shall be liable to be forfeited by the Municipal authorities and destroyed or otherwise disposed of, and no compensation will be paid therefor.

14. Carcasses must be brought from the Slaughter House to the market in the special carts. All meat should be kept in meat safes provided for the purpose, a small amount of mutton not exceeding two carcasses in all, and a basket of fish may be kept outside the safes in order to be shown, or sold to customers provided it is kept covered with a clean cloth. A larger amount of meat or fish found outside the safes or such meat or fish found uncovered except for inspection by customers shall be liable to be forfeited by the Municipal authorities and no compensation will be paid therefor.

15. No shop or stall in a market shall be used for residential purposes nor will any cooking be permitted in any such shop, stall or compound of a market. The lessee of each shop or stall in the Fruit and Vegetable market will be permitted to have one or two men in the room behind his stall at night to safeguard his goods.

16. Every shopkeeper and stall holder in a market shall before he leaves his shop or stall for the night cause to be extinguished every fire, or light in his shop or stall.

17. No person suffering from a contagious or infectious disease or from loathsome sores shall enter a market, and no beggars shall be permitted to loiter in the market or any of the passages leading thereto.

18. No person shall hawk or cry any articles for sale in a market.

19. No person shall sell any article in a market at a price higher than the price laid down for it in the list of prices current to be prepared from time to time under the authority of the Municipal Committee, a copy of which shall be posted in every market.

20. The markets shall be under the supervision and control of the market Inspector or any other official who may be authorized on this behalf by the Political Agent, and every shopkeeper and stall holder in the market shall be bound to carry out such instructions that may be

given by such Inspector or official consistent with the provisions of the Municipal Law and these rules.

21. Any person who commits a breach of any of these rules shall on conviction by a Magistrate be punishable with fine which may extend to fifty rupees and when the breach is a continuing breach with a further fine which may not exceed five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

[*Gazette of India*, 1920, Pt. II, p. 935.]

*Construction of buildings.*

No. 5038-R., dated the 24th September, 1921.—In exercise of the powers conferred by section 102 (1) (i) of the Quetta Municipal Law,<sup>1</sup> the Agent to the Governor-General in Baluchistan is pleased to make the following rules to regulate the construction of buildings within the limits of the Quetta Municipality:—

PART 1.

*Application.*

1. Every person intending to erect or re-erect\* any buildings shall give notice of such intention in writing to the Political Agent in the form "A" appended to these rules and shall at the same time submit:—

*Site-plan and specifications, etc.*

(a) A site-plan of the land on which it is intended to erect or re-erect, the building;

(b) A plan of the building which it is proposed to erect or re-erect; and

(c) The specifications detailed in form (B) appended to these by-laws.

Copies of forms "A" and "B" will be supplied to applicants free of charge by the Municipal Office.

*Applications to be delivered to the Secretary.*

2. Every such notice, which is hereinafter described as an application shall be addressed to the Political Agent stamped with a one anna

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NOTE.—The words "erect" and "re-erect", throughout these rules shall include "additions and alterations".

<sup>1</sup> Printed *supra*, p. 23.

court-fee stamp and shall be delivered to the office of the Municipal Secretary.

*Width of roads, streets, etc.*

3. No public road, street or lane within Municipal limits shall in future be of less width than 30, 20 and 10 feet respectively; and this width shall be insisted upon by the Committee in all cases of erection, or re-erection, of buildings, and no compensation shall be payable for any land that may be taken up for such road, street or lane.

NOTE.—Private lanes and passages will be considered on their merits.

*Site-plans.*

4. The site-plan must be drawn to a scale of 8 feet to the inch, must be submitted in duplicate and must show:—

- (a) The direction of the north point.
- (b) The boundaries of the site;
- (c) The position of the site in relation to neighbouring streets and land.
- (d) The position of the proposed building in relation to—
  - (i) the boundaries of the site and
  - (ii) all buildings and premises within 50 feet of the boundaries of the site, the outlines of which need only be given.
- (e) The names, if any, and width of all streets on which the site abuts.

*Building plan.*

5. The building plan must also be drawn to a scale of 8 feet to an inch, must be submitted in duplicate and must show:—

- (a) The plan of the ground floor and of every additional floor;
- (b) The position and dimensions of all projections beyond the main walls of the building.
- (c) The position of all proposed drains, latrines and cesspools;
- (d) The level and width of the foundations and the level of the lowest floor with reference to the level of the centre of the street on which the front of the proposed building is to abut, and
- (e) The elevation and sections of the proposed buildings together with full specifications (as to the materials to be used for all walls, foundations, roofs, ceilings, floors, staircases, fire-places and chimneys).

6. No building shall be roofed with straw or other easily inflammable material, in congested portions of the town.

*Depth and width of walls, etc.*

7. The depth of the foundations on single and double storey buildings should be at least 2' in the case of single storey and 3' in the case of double storey buildings and the width  $2\frac{1}{2}'$  and  $3\frac{1}{2}'$  respectively. The thickness of the main walls in the lower storey for single and double storey buildings shall not be less than 15" and 18" respectively, in the case of pucca-brick buildings and 18" and 24", respectively, in the case of buildings erected with sun-dried bricks. In the case of the upper storey the main walls shall not be less than 15" and 18" respectively.

*Fire-places.*

8. No fire-place shall be constructed unless the floor beneath it and round it for a width of three feet has been rendered fire proof.

*Sewers and drains.*

9. In no building shall any sewer or drain, pass through any room used, or intended to be used, as a living or sleeping room.

10. No drain shall be constructed within the thickness of any wall of any building.

11. No latrines shall be permitted on iron roofs, and as far as possible, on mud roofs. When permitted they shall be set back as far as possible from any street, or thoroughfare.

12. All masonry latrines shall be so constructed that solids and liquids fall directly into movable metal receptacles fitting close beneath the seats.

13. A drain shall be provided for every latrine, bathroom and cooking place. Such drain shall be constructed either of glazed pipes or of other impervious material and shall be connected with a Municipal drain or, where one is permitted as hereinafter prescribed, with a private cesspool.

*Floors of Latrines.*

14. The floor of every latrine :—

(a) Shall be of masonry, or of glazed tiles, or of cement,

(b) Shall be in every part at a height of not less than one foot above the level of the surface of the ground adjoining the latrine, and

- (c) Shall slope to a drain leading to a receptacle, private cesspool or Municipal drain in such a way that liquid will flow off quickly.

*Ventilation in Latrines.*

15. Every latrine shall be not less than 5' × 5' (inside dimensions) and shall be provided with adequate ventilation which shall be effected by at least one opening not less than one foot square in area in either the roof, or in the top of the wall as may be practicable and communicating directly with the open air.

16. Every latrine shall be so constructed:—

- (a) That there shall be adequate access thereto for the purpose of cleaning.
- (b) That it shall contain not less than one seat for five persons, and
- (c) That it is not attached to, or built over, any living room.

*Private cesspools.*

17. (1) No person shall construct a private cesspool:—

- (a) Unless there is no Municipal drain within 100 feet of the premises for which it is required;
- (b) Except within the boundaries of private land;
- (c) Except it is of masonry with a cast iron movable covering, and
- (d) Unless adequate access is provided thereto for the purpose of cleaning it.

(2) Where a cesspool is constructed, it shall be circular (and not square) in shape, and shall have its brim raised 3" above the surrounding level to prevent rain water finding access to it.

*Projections.*

18. No portion of any building in a street in which a line of frontage has been fixed by a resolution of the Committee, shall be built to project beyond such line of frontage.

*Court yards.*

20. No room to be used as a living, or as a sleeping, room shall be level of the nearest street so as to admit of easy drainage into such street.

20. No room to be used as a living, or as a sleeping, room shall be permitted to be constructed with a superficial floor area of less than 100 square feet.

*Superficial area of living rooms.*

21. (1) No person shall construct any room to be used as a living or sleeping room :—

(a) unless it is provided, for the purpose of light and ventilation, with one or more windows, or other aperture of a total area equal to 1/10th of the floor area of such room ;

(b) unless such window or other aperture opens :—

(i) into a space not less than 6 feet wide measured at right angles to the face of the wall in which it is placed and is open to the sky throughout such width and for the length of such window, or other aperture, or

(ii) into a verandah opening on to such space.

2. Every such window or other aperture shall be so constructed that the whole of it can be opened.

22. No building of more than two storeys shall be constructed within Municipal limits, without the special sanction of the Municipal Committee. Such sanction shall only be accorded when the Committee is satisfied that the new erection will not in any way interfere with the privacy of buildings previously erected in the immediate neighbourhood.

23. In the case of building of more than one storey including the ground floor, the height of each storey shall be not less than :—

12 feet in the case of the ground floor.

11 feet in the case of the first storey.

24. For the purpose of the preceding rule the height of storeys shall be reckoned as follows :—

In the case of single and double storeyed buildings from the level of the upper surface of the floor to the level of the upper side of the beams or joints on which the floor above rests, or if the floor above is ceiled, to the level of the underside of the ceiling.

25. No person shall construct any building abutting on any street :—

(a) of a greater height than 12 feet if such street is less than 10 feet wide,

(b) of a greater height than 23 feet if such street is less than 20 feet wide,

(c) of a greater height than 33 feet if such street is less than 30 feet wide, and

(d) of a greater height than one and a half times the width of the street, if such street is more than 30 feet wide.



Provided that—

- (i) if a building is to be erected in a corner plot so as to abut on more than one street, the maximum height of such building shall be regulated by the width of the wider of such streets to the depth of 50 feet from such wider street and for the rest of its depth by the width of the narrower of such streets.
- (ii) The Municipal Committee may permit chimneys, minarets of mosques, towers of churches, temples and similar structures to be erected to a height in excess of the maximum height otherwise permissible under this rule, and
- (iii) the Municipal Committee may permit the erection on the rear half of a building of covers for roof-stair-cases, hot weather sleeping rooms and sun shelters to a height in excess of the maximum height otherwise permissible.

26. No person shall construct any stair case of a width of less than 3 feet or with steps having a rise of more than 9 inches, or of a breadth of less than 10 inches measured from the vertical face of the rise.

#### *Sunshades and Masonry Steps.*

27. Sunshades in the town shall not project more than 3 feet from the wall, the height being fixed by the House Committee in each case.

28. Masonry steps leading from thoroughfares on to shops and private houses, shall not be allowed unless built within the line of frontage. However, in cases where it is necessary that such steps should be outside the line of frontage, they shall, if allowed, not project more than  $3\frac{1}{2}$  feet into the street and when they cross a drain, they shall not project beyond the outer edge of the masonry of the drain.

Exceptions may be made in the case of shops and garages on streets not less than 30 feet wide.

#### *Godowns.*

29. All godowns for grain, fruit, vegetables, hides, bones, etc., should be built entirely of pucca brick with deep foundations of lime concrete and with cement concrete floor, special attention being paid to the close fitting of the doors. All windows should be covered with wire gauze. If there be any upper storey over the godowns the roof should be made of corrugated iron with cement above.

PART II.

*Procedure for dealing with applications to build.*

30. When an application is received it should first be scrutinized by the Municipal Secretary, or his Head Clerk, with a view to seeing whether it complies with the requirements of the rules, and whether all the plans, specifications, etc., prescribed in these rules, are complete and in order. If the application is not in order, it should be returned to the applicant for completion by the Secretary. If the application is in order, the form "A" should be filled up as far as possible at this stage and the application should be entered in the register of building applications and forwarded to the Municipal Engineer and the Health Officer.

31. The Municipal Overseer should then examine the application on its merits, verify the particulars as to the site given in it, report whether the proposed building will involve any encroachment on or over public land, or lands with regard to which the Committee is in dispute with some private person, whether the building is in conformity with the rules and whether it will encroach upon any building line which has been fixed by the Committee.

32. (a) The Municipal Engineer will then note his remarks as to the structural stability of the proposed building and any other technical points which he may wish to bring to the notice of the Committee and will send the application to the Health Officer, direct, for remarks as to the sufficiency of the proposed arrangements for light, ventilation, drainage, accommodation, etc., and the Health Officer, after recording his remarks, should return the papers to the Secretary, for submission to the House Committee.

(b) The House Committee will sanction all such applications in which the requirements of the rules have been fulfilled and the Municipal Engineer and the Health Officer have expressed their concurrence, and the House Committee may reject any applications which do not conform to the rules.

(c) Cases in which there is difference of opinion between the Committee and the Municipal Engineer, or the Health Officer, or in which any objections are raised by any member of the House Committee on questions of principle shall be submitted to the General Committee for their decision, and the applicant shall not be permitted to begin work until the General Committee's decision has been communicated to him in writing.

33. Finally when the Committee has passed orders they should be communicated to the applicant as soon as possible and one copy of the

plan and specifications should be returned to him with any modifications required by the Committee shown in them and authenticated by the Secretary.

34. Such applications shall be disposed of within one month from the date of receipt or disposal of last objection, if any.

35. Every sanction for the erection, or re-erection of any building which shall be given by the Committee shall remain in force for one year only from the date of such sanction. Should the erection, or re-erection, of the building not have been commenced within the said period of one year, the sanction shall be deemed to have lapsed, but such lapse shall not bar any subsequent application for fresh sanction.

NOTE.—When a person after obtaining sanction to erect, or re-erect, a building has commenced such erection or re-erection within one year of the date of such sanction, it is not obligatory for him to proceed at once with the building until completion. He is at liberty to commence and finish each separate part of the building as sanctioned at any time thereafter convenient to him, provided he has commenced some part of the building operations within the period of one year from the date of sanction and the plan originally sanctioned is strictly adhered to.

36. When a building, for which the Committee has given sanction, has been completed the Municipal Engineer and the Health Officer shall, before it is allowed to be used, jointly certify within ten days of receipt of notice of completion that it has been constructed in accordance with the sanctioned plan and specifications.

#### *Government Buildings.*

37. Nothing contained in the Municipal Act, or the rules, applies to Government buildings. In respect of such buildings the Committee is entitled only to receive notice of the proposed erection and to make any objection or suggestion with regard to such erection, as it may think fit, to the Local Government, whose orders shall be final.

#### FORM A.

*(To be filled in by applicant.)*

From

To

The Secretary,

Municipal Committee, QUETTA.

I hereby give notice under section 48 of the Quetta Municipal Law, 1896, that I intend to  $\frac{\text{erect}}{\text{re erect}}$  a building, as specified in form B attached, situated  $\frac{\text{in}}{\text{on}}$  (here insert street, ward, etc.)

I attach :—

- (a) the plans in duplicate required by the Committee's bye-laws
- (b) specification of the proposed building.

Signature

Date

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FORM A.

*(To be filled in by the Municipal Office.)*

Serial No. of application

Name of applicant

Site of building (name of street, quarter, etc.)

Abstract of application

Received by the Secretary on (date)

(Initials of Secretary.)

Date by which orders of Committee must be communicated to the applicant  
(To be filled in in red ink.)

Forwarded to

for report on (date)

(Initials of forwarding officer.)

Forwarded to the Municipal Engineer for report on (date)

(Initials of forwarding officer.)

Forwarded to the Health Officer for report on (date)

(Initials of forwarding officer.)

Submitted to the Sub-Committee on (date)

(Initials of Secretary.)

Submitted to the Municipal Committee on (date)

(Initials of Secretary.)

Abstract of order of the Committee

(Initials of Secretary.)

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FORM B.

*Specification of proposed building.*

1. In the case of the erection, or re-erection, of an entire house or considerable portion of a house—

(a) in case of re-erection of a house, the house number, if any, of the house to be re-erected

(b) the purpose for which it is intended to use the building

(c) the materials to be used in construction of the walls

- (d) the number of storeys of which the building will consist
- (e) the number of latrines to be provided

2. In the case of minor alterations or additions—

- (a) a description of the alteration or addition proposed
- (b) the material to be used for such alteration or addition

[*Gazette of India*, 1921, Pt. II, p, 1275.]

*Regulation of projections.*

No. 3352-R., dated the 22nd August, 1923.—In exercise of the powers conferred by section 102 (1) (i) of the Quetta Municipal Law,<sup>1</sup> the Agent to the Governor General in Baluchistan is pleased to publish the following rules for the regulation of projections in the town:—

1. Every application for permission to erect or re-erect any projection over a street or drain shall be accompanied by the following plans in duplicate, prepared in the manner prescribed in paragraph 2:—

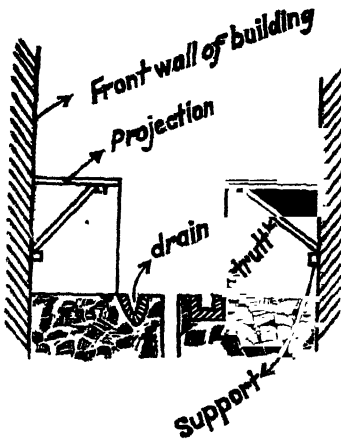
- (a) A small scale plan of the locality showing the precise situation of the building concerned.
- (b) A large scale plan indicating the situation of the building concerned in relation to the streets or lanes adjoining the building or land and indicating the breadth of the adjoining streets or lanes and in the case of a street or lane of which the breadth is not uniform the width in the narrowest part, and
- (c) Where an open Municipal drain has to be covered, a plan and section showing clearly how it is proposed to cover the drain in question, and, where a culvert is to be built, showing the exact water-way of the culvert.

2. The plan mentioned in rule 1 (b) above shall be drawn to a scale of not less than 4 feet to the inch. The scale used shall be marked on the plans and the positions of the north point shall also be clearly indicated. All plans must be signed by the applicant and must show all details necessary to enable the Municipal Committee, or the Executive Officers concerned, to judge as to the suitability of the proposed projections. The names of the owners of adjoining buildings or lands, together with the Kucha and House members if any shall be given. All proposed works shall be indicated by distinctive colours and a key to any colour or mark used shall be displayed on the plan.

3. The dimensions and position of projections must conform to the conditions hereinafter prescribed.

<sup>1</sup> Printed *supra*, p. 23.

4. Where new buildings are being erected:—



- (a) No culvert across a drain from a ground floor shall be allowed except for the purpose of permitting access to a building.
- (b) In the case of a wooden projection the vertical distance from the underside of the projection and the surface of the ground at the inner edge of the drain shall be not less than one foot (see sketch).
- (c) Measured parallel to the building no culvert shall be more than  $3\frac{1}{2}$  feet long and no projection such as galleries, sun-shades, etc., shall project more than three feet from the wall.
- (d) No projection shall pass beyond the inner edge of the drain (see sketch).
- (e) A takhta must be supported entirely by the structure to which it is attached and no such takhta may be supported by props resting on a drain or road (see sketch).

5. Where surface drain schemes are being introduced into areas already built over;

- (1) In bazars, where frontages consist of shops on the ground floor,
  - (a) The vertical distance from the underside of the projection to the road surface at the inner edge of the drain shall be not less than 1 foot (see sketch).
  - (b) No projection shall pass beyond the inner edge of the drain (see sketch).
  - (c) A takhta must be supported entirely by the structure to which it is attached, and no such takhta is to be supported by the drain or road (see sketch).
- (2) In gallis, or kuchas, where the frontages consist of residential buildings, the same rule will apply except that no projection shall be allowed when there would be less than 10 feet clear passage-way between such projections if built on both sides of the street.

6. No application for a balcony or like projection of any kind shall be sanctioned unless the width of the road is at least 30 feet in the case of bazaars, and at least 20 feet in the case of gallis or kuchas.

7. No balcony or like projection shall exceed 3 feet in width.

8. Masonry Chabutras, or Tharas, may be permitted in front of shops and dwelling houses on that portion of the road which lies between the outer wall of a house and the inner edge of a drain, provided,

(a) that the Chabutras or Tharas built do not overlap any of the drain bricks;

(b) that the owners agree to pay rent at annas eight per running foot per mensem per shop and anna one per mensem per house; a three-foot passage-way for each shop being exempt from such payment.

[*Gazette of India*, 1923, Pt. II, p. 1486.]

#### *Regulation of slaughter-houses.*

*No. 5568-R., dated the 27th October, 1921.*—In exercise of the powers conferred by section 102 (1) (i) of the Quetta Municipal Law, 1896,<sup>1</sup> the Agent to the Governor General in Baluchistan is pleased to sanction the following rules for the inspection and proper regulation of slaughter-houses within the Quetta Municipal limits:—

1. No animal shall be slaughtered at a slaughter-house unless it has been inspected and passed by the Veterinary Assistant or other duly authorised official.

2. (a) The Veterinary Assistant, or such duly authorised official, shall examine every animal produced before him for slaughter and satisfy himself that the animal—

(i) is fit for human food,

(ii) is not advanced in pregnancy,

(iii) is not in an emaciated or worn-out condition,

provided that an animal which has met with an accident rendering it unfit for further work shall not be rejected on that account.

(b) If, in the opinion of the official in question, an animal be unfit for slaughter, its slaughter shall be prohibited.

3. If, in the opinion of the Veterinary Assistant or other duly authorised official, an animal fulfils the conditions laid down in rule 2 (a), he shall cause it to be branded with a rubber stamp brand, red stamping ink being used for the purpose.

<sup>1</sup> Printed *supra*, p. 23.

4. No animal shall be admitted, or be brought into a slaughter-house, unless it has been branded as prescribed in rule 3 above. If any animal branded as above is not brought to the slaughter-house within three days of the affixing of such brand, a fresh inspection shall be made of such animal.

5. No person other than a Municipal official, a butcher or a butcher's assistant, shall enter upon the premises of any slaughter-house during the process of slaughtering, skinning or cutting up the carcasses.

6. No person affected with tuberculosis, or any infectious or contagious disease, or with sores or any other skin disease shall enter, or be allowed to enter, the premises of a slaughter-house.

7. No dogs shall be allowed to enter any slaughter-house.

8. No animal shall be admitted into the slaughter-house unless it is intended for immediate slaughter. All animals awaiting slaughter shall be kept in pens set apart for the purpose and there properly secured.

9. Animals shall be slaughtered immediately over the drain so as to prevent the blood from flowing upon the floor.

10. In the case of sheep and goat every carcass shall, after slaughtering, skinning and cleaning be inspected by the Veterinary Assistant or other duly authorised official at the slaughter-house, and, if found fit for human consumption, each separate piece of such carcass shall be stamped with stamping ink with the words " sheep " or " goat ", as the case may be, under his supervision. Such stamp or seal shall be prescribed by the Committee.

11. Skins, entrails and offal shall be removed from the slaughter-houses by the butchers or their servants and any skins, entrails and offal not removed before the time at which the slaughter-houses close for the day shall be confiscated by the Committee and be disposed of in such manner as it deems fit.

12. No person shall remove any entrails or offal from the slaughter-house until they have been properly washed and cleaned.

13. The solid contents of the entrails shall not be washed into the drain or allowed to drop on the floor, but shall be emptied into the tanks provided for the purpose.

14. Meat, entrails and offal shall be removed from the slaughter-houses in covered carts, or covered baskets or vessels of a pattern to be approved by the Municipal authority, and the official in charge of each slaughter-house shall duly inspect the said carts, baskets or vessels, see that they are clean and in good order and shall not allow any meat to be removed in a cart, basket or vessel, that is not clean or in good order.



15. All meat and offal from the Municipal slaughter-houses shall be conveyed to the markets for sale along such route as the Committee may from time to time prescribe and shall reach the markets by such time as the Committee may fix.

16. No person shall blow or stuff any meat within the slaughter-house premises and the Health Officer, Veterinary Assistant or Market Inspector may cause to be destroyed any meat found to have been blown or stuffed.

17. No person shall remove, deface or alter any brand impressed in accordance with rule 3 above, or any stamp or seal impressed upon or affixed to any part of a carcass in accordance with rule 10 above, nor shall any person impress or affix any other brand, seal or stamp on any animal or carcass.

18. A breach of any of the above rules shall be punishable with fine which may extend to fifty rupees and when the breach is a continuing one with a further fine which may extend to five rupees for every date after the date of the first conviction during which the breach continues.

[*Gazette of India*, 1921, Pt. II, p. 1398.]

*Rules for the destruction of useless records.*

No. 9143, dated the 27th November, 1899.—The following rules for the destruction of useless records which have been framed by the Agent to the Governor General under section 102 (1) (i) of the Quetta Municipal Law,<sup>1</sup> are published for general information :—

RULES.

*Vernacular Papers.*

(1) Papers relating to payment of salaries of establishment shall be destroyed after 35 complete account years, and of artisans and labourers after three complete account years from date of payment.

(2) Papers relating to contracts not written or registered shall be destroyed three years after the period from which the contract was finished, broken or cancelled.

(3) Papers relating to written or registered contracts shall be destroyed six years after the date of completion or annulment of the contract.

(4) Miscellaneous papers, such as reports on inspection of carriages, etc., shall, as a general rule, be destroyed one year after the period to

<sup>1</sup> Printed *supra*, p. 23.

which they relate; but the Municipal Committee shall have power at their discretion to retain any special papers for a longer period.

(5) Registers and receipts for octroi duty, which has been paid on goods brought within the Municipal limits, should be destroyed after five years from the date of payment, and rawana and other miscellaneous papers after three years.

#### *English Papers.*

(1) Letters of an ephemeral nature, such as those furnishing explanations relative to points noticed in progress reports, differences in accounts since closed and adjusted, shall be destroyed annually.

(2) All other English records and the general abstract of accounts and bonds shall be retained with the exception of octroi receipts connected with cases of refund which shall be destroyed annually.

[*Gazette of India*, 1899, Pt. II. p. 1350.]

#### *Cart Rules*

No. 2237, dated the 19th April, 1904.—The following bye-laws for the regulation of loading carts, framed by the Municipal Committee of Quetta in the Quetta-Pishin district under section 102 (2) of the Quetta Municipal Law, 1896,<sup>1</sup> and confirmed by the Hon'ble the Agent to the Governor General in Baluchistan, will come into force within the Municipality of Quetta one month after the date of the publication of this notification:—

#### QUETTA LOADING CARTS RULES.

Rule 1. *Vehicles to be licensed.*—The owner of every cart kept or plying for hire within the limits of the Municipality shall be required to take out a license before such cart can ply for hire.

2. *Issue of license.*—The license shall be granted by the Municipal Secretary in Form A appended to these rules (which shall be printed on strong cloth-backed paper) on payment of the fee prescribed by rule 4 after the carts and animals, etc., have been passed by a Committee, which shall consist of two members of the Municipal Committee and the Municipal Secretary. The date or dates of inspection shall be intimated to the Assistant Political Agent and to the Tahsildar of Quetta.

<sup>1</sup> Printed *supra*, p. 23.

3. *Classification of carts and weight to be carried.*—Carts shall be of five classes as detailed below, and the maximum weight which may be carried by each cart is as noted against it:—

Description of Cart.	Weight.
(1) Cart drawn by a pair of bullocks . . . . .	<sup>1</sup> [22 maunds or 333 pucca bricks.]
(2) Cart drawn by a pair of mules, or ponies, or one horse over 14½ hands.	14 maunds.
(3) Cart drawn by a pony under 14½ hands, a mule or a bullock.	10 maunds or bags of grain.
(4) Cart drawn by a pony 13 hands or under, or a donkey.	5 maunds.
(5) Cart drawn by men . . . . .	No limit.

No proprietor or agent of the proprietor, or driver of a licensed cart, shall permit a greater weight to be carried than that hereby prescribed.

4. *License fee.*—The fees for license shall be—

	Per annum. Rs.
First class . . . . .	8
Second class . . . . .	6
Third class . . . . .	4
Fourth class . . . . .	2
Fifth class . . . . .	0-8-0

Renewal fees for licenses lost or destroyed, 4 annas.

5. *Conditions of license.*—The conditions of the license shall be—

- (a) The vehicle must be good in all its parts;
- (b) The animals must be strong, healthy, and otherwise fit for work;
- (c) The harness and other appointments must be in good and serviceable condition;
- (d) The tyres of the wheels shall be not less than 2½ inches in width.

6. *Period and revocation of license.*—Licenses issued under these rules shall continue in force during the official year in which they are granted, but they shall be liable to revocation or suspension within that time by order of the Committee mentioned in rule 2, should the proprietor or his agent or the driver be found guilty of an infringement of any of these rules, or if the conditions on which the license has been granted, are not fully maintained.

<sup>1</sup> Substituted by Notification No. 5140-R., dated the 30th November, 1927. *Gazette of India*, 1927, Pt. II-A, p. 538.

7. *Renewal of licenses.*—Applications for the renewal of licenses about to expire shall be made on or before the 28th February, and the renewed license shall be granted in the same way as provided for in rules 2 and 6 and on payment of the same fee as for the original license.

8. *Transfer of license.*—When a licensed cart is transferred to a new proprietor during the year of license, the name of such proprietor shall be at once reported by the transferer to the Municipal Secretary's office and the name of the transferee shall be substituted in the license for the name of the transferer without further payment.

9. *Number of license.*—Each license shall bear a serial number and this number shall be painted in English and Urdu on a board which shall be fixed to the right side of the cart.

10. *Production of license.*—Licenses shall be produced for inspection when required by any Magistrate or police officer or member of the Municipal Committee.

11. *Inspection of premises.*—It shall be lawful for any person named in rule 2, or any member of the Municipal Committee or any Magistrate or other person authorized on this behalf by the Chairman of the Municipal Committee, to enter the premises on which a licensed cart or animals and other things used therewith are kept, in order to see that the provisions of these rules are observed.

12. *Cart-stands.*—The Committee named in rule 2 shall appoint places as stands for licensed carts, and proprietors of carts found waiting for hire at places other than those appointed shall be liable to forfeit their licenses. The following place is for the present appointed as a cart-stand:—

A place near the railway goods shed.

13. *Powers of driver or proprietor to refuse to give a licensed cart.*—The driver or proprietor of a licensed cart waiting on a public stand or publicly plying for hire shall at any time of the day or night be bound to give such cart on hire to any person demanding the same, except for good and sufficient reasons, the burden of proving which shall lie on the said driver or proprietor.

14. *Cart drivers to keep list of fares.*—Every driver of a licensed cart shall have in his possession a list of the fares prescribed by these rules. Such list shall be printed in English and Urdu, and one copy shall be provided by the Municipal Secretary free of cost, yearly at the time of licensing. The responsibility for renewing a list of fares which has become destroyed or defaced shall rest with the proprietor, who shall renew it at once.

15. In the absence of any private and cheaper arrangement between the hirer and the proprietor, agent or driver, of a licensed cart, the following rates shall be paid.

*Schedule of Fares.*

Serial No.	Particulars	CLASS.				
		1st	2nd	3rd	4th	5th
		18 Mds. Rs. A.	14 Mds. Rs. A.	10 Mds. Rs. A.	5 Mds. Rs. A.	No limit. Rs. A.
1.	From Railway Station to the town or any place in the Civil Lines, within a boundary line running along McConaghey and Mission Roads	0 10	0 8	0 6	0 3	0 10
2.	From the Railway Station to any place in the Civil Lines to the Lakarmandi or Kansai or any other place in the town beyond a boundary line running along McConaghey and Mission Roads; and <i>vice versa</i>	1 0	0 10	0 8	0 4	1 0
3.	From Lakarmandi to new vegetable Fruit and Mutton Markets, Bahoo Mohalla or any other place within a boundary line running along Prince and Bruce Roads	0 8	0 6	0 4	0 2	0 8
4.	From the Railway Station to the Tahsil or New Police Lines <i>via</i> Railway Crossing	0 10	0 8	0 6	0 3	0 10
5.	From the Railway Station, Lakarmandi or New Police Lines or any other place in the town or Civil Lines to the Fort or any other place in the Cantonment, within a boundary line running from the Cemetery, McNair Road, Lady Smith Road, and Survey Lines	1 0	0 10	0 8	0 4	1 0
6.	From the Railway Station, Lakar Mandi, New Police Lines or any other place in the town or Civil Lines to a place beyond a boundary line running from the Cemetery, McNair Road, Lady Smith Road and Survey Lines, and within a boundary line from Lockhart Road, Wolsely Road, Seven Streams and King's Road	1 8	1 0	0 10	0 5	1 8
7.	From Railway Station, Lakar Mandi, New Police Lines, or any place in the town or civil lines to E. I. Barracks or Gurkha Officer's Bungalows	1 12	1 4	0 14	0 7	1 12
8.	From Railway Station, Lakar Mandi, New Police Lines or any place in the town or Civil Lines, to Staff College, Gurkha Barracks, Royal Air Force Camp	2 0	1 8	1 0	0 8	2 0
9.	For a day of 9 hours	3 0	2 4	1 8	0 12	3 0]

<sup>1</sup> Substituted by Notification No. 3984-R., dated the 6th December 1924. *Gazette of India*, 1924, Pt. II-A, p. 422.

16. *Cart how to proceed if hired by the journey.*—If a cart is not engaged by time, the person hiring it shall proceed by the most direct or usual road from point to point, and any alterations or detentions on the way by the hirer shall involve the payment of an additional fare, provided that in no case shall the fare payable exceed the sum for the hire of the cart for the whole day.

17. *Unclaimed property.*—Unclaimed property found in a licensed cart shall be deposited at the nearest police station by the proprietor or driver of such cart. A list of all such property shall be posted at the city thana and at such other places as the District Superintendent of Police may direct.

18. *Penalties for breach of rules.*—A breach of any of these rules shall be punishable on conviction by a Magistrate with fine which may extend to Rs. 50, and when the breach is a continuing breach, with a further fine which may extend to Rs. 5 for every day after the date of such conviction, during which the breach is proved before a Magistrate to have been persisted in.

FORM A.

1. Quetta Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor or agent.
6. Residence of proprietor or agent.
7. Class of cart.
8. Licensed to carry.
9. Remarks.

[*Gazette of India*, 1904, Pt. II, p. 475.]

*Rules for the suppression of mendicancy and solicitation.*

No. 831, dated the 19th August, 1907.—In exercise of the powers conferred by section 103 of the Quetta Municipal Law,<sup>1</sup> the Honourable the Agent to the Governor General in Baluchistan is pleased to make the following rules for the suppression of mendicancy and of loitering or importuning for the purpose of prostitution, and for the removal and exclusion of certain persons from the Quetta Municipality:—

1. Within the limits of the Quetta Municipality no person shall in any street or public place (a) loiter, or beg for alms as a mendicant, (b) loiter, or importune any person, for the purpose of prostitution.

<sup>1</sup> Printed *supra*, p. 23.

2. (i) The Political Agent, Quetta, on receiving information that any person, whether resident within or frequenting the Quetta Municipal limits,

(a) is a disorderly person keeping or frequenting a common gaming house, a disorderly drinking shop, or a disorderly house of any other description, or

(b) has been convicted more than once, either within the Quetta Municipal limits or elsewhere, of an offence punishable under Chapter XVII of the Indian Penal Code, or

(c) has been ordered under Chapter VIII of the Code of Criminal Procedure, 1898, either within the Quetta Municipal limits or elsewhere to execute a bond for his good behaviour,

may make an order in writing, setting forth the substance of the information received, and issue a summons requiring such person to show cause why he should not be removed from the Quetta Municipal limits and be prohibited from re-entering them.

(ii) Every summons issued under sub-section (1) shall be accompanied by a copy of such order as aforesaid, and the copy shall be delivered by the officer serving the summons to the person served with the same.

(iii) The Political Agent shall, when the person so summoned, appears before him proceed to enquire into the truth of the information received, and take such further evidence as may appear necessary, and if on such enquiry it appears to him to be necessary for the maintenance of good order that the person should be required to remove from the Municipal limits and be prohibited from re-entering them, the Political Agent shall report the matter to the Honourable the Agent to the Governor General in Baluchistan, and, if the Honourable the Agent to the Governor General so directs, shall issue a notice in writing, requiring the person to remove from the Quetta Municipal limits within a time to be specified in the notice and prohibiting him from re-entering them without written permission from the Honourable the Agent to the Governor General in Baluchistan.

3. Whenever the Hon'ble the Agent to the Governor General in Baluchistan thinks it expedient to exclude any person from the limits of the Quetta Municipality, whether with or without assigning any reason therefor, he shall send or cause to be sent to the Political Agent, Quetta, an order in writing to that effect, and the Political Agent shall cause a copy of the order to be served on the person, together with a notice in writing requiring him to remove from the Municipal limits within a time to be specified in the notice, and prohibiting him from re-entering them without the permission in writing of the Honourable the Agent to the Governor General.

Provided that no such order shall be made if the only reason for making it is that such person:—

- (i) is disorderly, or
- (ii) has been convicted of any offence punishable under Chapter XVII of the Indian Penal Code, or
- (iii) has been ordered under the Code of Criminal Procedure, 1898, to execute a bond for his good behaviour.

4. When any person has, under either of the two last foregoing rules, been directed to remove from the Quetta Municipal limits, and has not obtained the written permission mentioned in such rule to re-enter the Quetta Municipal limits, no person who has knowledge of those facts shall harbour or conceal him in the Quetta Municipal limits.

5. Whoever, (a) having under rule 2 or 3 been prohibited from remaining in or re-entering the Quetta Municipal limits, remains in or re-enters them without the written permission of the Honourable the Agent to the Governor General in Baluchistan, or (b) commits a breach of rule 1 or 4, shall be liable to be arrested on a warrant issued by the District Magistrate, Quetta, and shall on conviction by a Magistrate be punishable with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

6. Any member of the Police force employed in the Quetta Municipal limits may arrest without warrant any person committing or charged with having committed an offence punishable under clause (a) or clause (b) of the last foregoing rule:

Provided as follows:—

- (i) No person shall be so arrested whose name and address are known to the arresting officer.
- (ii) No person shall be so arrested who consents to give his name and address unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall be on the arresting officer.
- (iii) No person so arrested shall be detained after his name and address have been ascertained.
- (iv) No person so arrested shall, except under the orders of the Political Agent, Quetta, be detained longer than may be necessary for bringing him before the Political Agent.

[*Gazette of India*, 1907, Pt. II, p 1321.]



*Order dated the 3rd December, 1906, as modified by order No. 370, dated the 22nd July, 1924.*—In exercise of the powers conferred by section 110 of the Quetta Municipal Law,<sup>1</sup> the Political Agent, Quetta-Pishin, hereby authorises the Secretary, Assistant Secretary, the Health Officer and the Assistant Health Officer for the time being of the Quetta Municipality to lodge complaints of offences under the Quetta Municipal Law.

[Quetta Municipal Manual, p. 158.]

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<sup>1</sup> Printed *supra*, p. 20.





## CHAPTER II.—NORTH-WEST FRONTIER.

The territories outside British India adjacent to the North-West Frontier Province which fall within the charge of the Chief Commissioner and Agent to the Governor General, North-West Frontier Province,<sup>1</sup> consist of:—

A. Tribal territories in the charge of the following Political Agents:—

*Agency—*

Dir, Swat and Chitral.  
Khyber.  
Kurram.  
North Waziristan.  
South Waziristan.

*Sub-Agency—*

Chitral.

B. Tribal territories in the charge of Deputy Commissioners, as shown below:—

*Peshawar District—*

Mohmand.  
Hassan Khel Afridi.  
Ashu Khel Afridi.  
Gadun.  
Utman Khel.  
Utmanzai.  
Chamla.  
Khudu Khel.  
Buner.

*Kohat District—*

Orakzai.  
Adam Khel Afridis.

*Bannu District—*

Bhitanni.  
Certain Wazir Sections.

*Dera Ismail Khan District—*

Bhitanni.  
Larga Sheranni.

*Hazara District—*

Gadun.  
Utmanzai.  
Amazai.  
Chagharzai.  
Isazai.

C. The Pitao Sorai Malandri area, administered by the Deputy Commissioner, Peshawar District.

While British authority has been extended to all these areas, the degree of exercise of British jurisdiction varies in the different tracts according as local conditions permit. The policy of Government is not to interfere with or undermine the influence, responsibility and

<sup>1</sup> For the Proclamation constituting the North-West Frontier Province, see Notification No. 5780, dated the 25th October, 1901. *Gazette of India*, 1901, Pt. I, p. 857.

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authority of the tribal *jirgas* or to disturb the practice under which the elders of the community concerned are ordinarily required to deal with tribesmen who commit offences for which it is necessary that reparation should be exacted or punishment meted out.

The railway lines in tribal territory are included in the North-Western Division of Railways enumerated in Volume VIII.

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The following British enactments are in force in the territories administered by the Agent to the Governor General, North-West Frontier Province, as such Agent:—

- I.—Statutes.<sup>1</sup>
- II.—Acts of the Governor General in Council and of the Indian Legislature.—See Appendix II.
- III.—Orders under Statutes.—See *infra*, page 256.
- IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—See *infra*, page 256.
- V.—Acts applied and Local Laws.—See *infra*, page 259.
- VI.—Orders relating to Courts.—See *infra*, page 277.
- VII.—Orders under Acts applied.—See *infra*, page 285.

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<sup>1</sup> Not enumerated. See Preface to this edition, paragraph 4.

### III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—See 53 & 54  
Appendix I. Vict., c. 37.

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High 5 & 6 Geo.  
Courts over European British subjects).—See Appendix IV. V, c. 61.

### IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.

#### SEA CUSTOMS ACT, 1878.

*Prohibition against bringing Buddhistic sculptures, etc., into British India from the Gilgit Agency or intervening tribal area without written sanction of Chief Political Officer.*

No. 438-F., dated the 22nd February, 1901.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing into British India, from any part of the Dir, Swat and Chitral Agency or of the Gilgit Agency, or from any of the tribal areas which lie between those two Agencies and the border of British India, of any Buddhistic sculptures, carvings or inscriptions save under the authority in writing of the Chief Political Officer of the said territories.

[*Gazette of India*, 1901, Pt. I, p. 125.]

*Prohibition against the bringing of aircraft or parts of aircraft by land into the Administered Districts and Political Agencies except under a license.*

No. 444-F., dated the 22nd September, 1926.—Printed *infra*, p. 285.

#### INDIAN ARMS ACT, 1878.

*Exemption of certain persons from certain prohibitions and directions contained in the Act. Rules regarding the export of arms and ammunition from, and their import into, British India.*

No. 829-I-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924).—Printed in Appendix XXIII.

INDIAN AIRCRAFT ACT, 1911.

*Prohibition against the navigation of aircraft.*

*No. A. V.-17, dated the 1st October, 1926.—Printed infra, p. 285.*

OFFICIAL TRUSTEES ACT, 1913.

*Inclusion of States in the Province of the Punjab for purposes of the Act.*

*No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.*

ADMINISTRATOR GENERAL'S ACT, 1913.

*Inclusion of the States in the Province of the Punjab for purposes of the Act.*

*No. 1449-D., dated the 19th March, 1914 Printed in Appendix XIII.*





## V.—Acts applied and Local Laws.

### *Application of certain sections of the Sea Customs Act, 1878.*

*No. 443-F., dated the 22nd September, 1926.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf the Governor General in Council is pleased to apply to the Political Agencies of the North-West Frontier Province, the following clause and sections of the Sea Customs Act, 1878 (VIII of 1878), namely:—

Clause (a) of section 3 and sections 6, 7, 8, 9, 19, 167 (in so far as it provides for the punishment of the offences mentioned in item 8 of the Schedule attached thereto), 168, 170, 171, 172, 173, 174, 175, 176, 178, 179, 180, 181, 182, 183, 184, 186, 188, 189, 190, 191, 192, 193, 197 and 198 and further to direct that in the said sections as so applied references to British India shall be read as references to the said Agencies.

[*Gazette of India*, 1926, Pt. I, p. 1046.]

### *Application of the Epidemic Diseases Act, 1897.*

*No. 443-I. A., dated the 4th February, 1897.*—Printed in Appendix XVIII.

### *Application of the Indian Aircraft Act, 1911.*

*No. 442-F., dated the 22nd September, 1926.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to apply the Indian Aircraft Act, 1911 (XVII of 1911), subject to any amendments to which the said Act is for the time being subject in British India, to the Political Agencies of the North-West Frontier Province, and to direct that in the said Act as so applied references to British India shall be read as references to the said Agencies.

[*Gazette of India*, 1926, Pt. I, p. 1046.]

### *Application of North-West Frontier Constabulary Act, 1915 to Kurram Militia, Tochi Scouts and South Waziristan Scouts.*

*No. 1085-M., dated the 27th March 1925.*—In exercise of the powers conferred by section 20 of the North-West Frontier Constabulary Act, 1915 (XIII of 1915) the Chief Commissioner, is pleased to apply the

provisions of the said Act, with the modifications<sup>1</sup> set forth in the annexed schedule, to the Kurram Militia, the Tochi Scouts and the South Waziristan Scouts, with effect from the 16th April 1925.

[*N. W. F. P. Government Gazette*, 1925, Pt. I-A, p. 271.]

THE NORTH-WEST FRONTIER CONSTABULARY ACT, 1915 AS  
EXTENDED TO THE FRONTIER CORPS, *viz.*, THE KURRAM  
MILITIA, THE TOCHI SCOUTS AND THE SOUTH  
WAZIRISTAN SCOUTS.

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THE SCHEDULE.

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<sup>1</sup> The Act as so modified, is printed below.

ACT No. XIII OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 1st October, 1915.*)

This Act has been extended to the Frontier Corps, *viz.*, the Kurram Militia, the Tochi Scouts and the South Waziristan Scouts, *vide* this Administration Notification No. 1085-M., dated the 27th March, 1925.

*An Amended Act to provide for the Regulation of the Frontier Corps in the North-West Frontier Province.*

WHEREAS it is expedient to provide for the regulation of the Frontier Corps in the North-West Frontier Province; It is hereby enacted as follows:—

1. *Short title, extent, application and commencement.*—(1) This Act may be called the North-West Frontier Constabulary Act, 1915; and extended to the Frontier Corps, *viz.*, the Kurram Militia, the Tochi Scouts and the South Waziristan Scouts;

(2) It extends to the whole of the North-West Frontier Province, and applies also to every member of the Frontier Corps, *viz.*, the Kurram Militia, the Tochi Scouts and the South Waziristan Scouts, wherever he may be serving; and

(3) It shall come into force<sup>1</sup> on such day as the Local Government may, by notification in the official Gazette, appoint in this behalf.

2. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context,—

- (a) “Frontier Corps” means the Corps referred to in Section 3, or any of the individual forces comprising those Corps as the context may require;
- (b) “member of the Frontier Corps” means a person other than a person appointed by the Local Government who, at the commencement of this Act, is serving in the Frontier Corps, or who, after the commencement of this Act, has been appointed to the Frontier Corps under this Act, and has signed a recruiting-roll on which the conditions of service contained in the Schedule are set forth;
- (c) “Inspecting officer” means the person appointed under Section 5, to be Inspecting Officer, Frontier Corps:

Provided that every person who has, for the space of six months, been in the receipt of pay as a member of the Frontier Corps and been borne on the rolls of the Frontier Corps

<sup>1</sup> The Act was brought into force on the 15th October, 1915, by Notification No. 137, dated the 29th November, 1915. *N. W. F. P. Gazette*, 1915, Pt. I-A, p. 1048.

shall be deemed to be a member of the Corps, notwithstanding that he has not signed the said recruiting-roll.

(d) "Commandant" means a person appointed by the Local Government to be a Commandant of the Frontier Corps;

(e) "active service" means service against hostile tribes, raiders or other hostile persons, or persons co-operating with or assisting such tribes, raiders or hostile persons;

(f) the expressions "assault," "criminal force," "fraudulently," "reason to believe" and "voluntarily causing hurt" have the meanings assigned to them, respectively, in the Indian Penal Code.

XLV of 1900.

3. *Power to maintain Frontier Corps.*—The Local Government may continue to maintain forces, to be called the Kurram Militia, the Tochi Scouts and the South Waziristan Scouts, the whole comprising the Frontier Corps, for the better protection and administration of the external frontier of British India within the limits of or adjoining the North-West Frontier Province or any part thereof.

4. *Constitution of Frontier Corps.*—The Frontier Corps shall be constituted in such manner, and the members of the Frontier Corps shall receive such pay, pension, and other remuneration, as shall, from time to time, with the previous sanction of the Governor General in Council, be ordered by the Local Government.

5. *Appointment and powers of superior officers.*—(1) The Local Government may appoint any person to be Inspecting Officer, Frontier Corps, and may appoint other persons to be Commandants or officers of each of the units of Militia or Scouts which compose the Corps.

(2) Every Commandant and other officer of a unit of Militia or Scouts so appointed shall possess, and may exercise, such power and authority over the subordinate officers and members of such unit for the time being under his command, as is provided by or under this Act.

6. *Appointment of subordinate officers and men.*—The appointment of all officers and men of the Frontier Corps, other than those mentioned in sub-section (1) of section 5, shall rest with the Inspecting Officer and the Commandant of each unit of Militia and Scouts who shall respectively exercise such powers, in such manner as may be prescribed by rules made under this Act.

7. *Superintendence, control and administration of Frontier Corps.*—(1) The superintendence of, and control over, the Frontier Corps shall vest in the Local Government; and the Frontier Corps shall be administered by the Inspecting Officer and the Commandant of each unit of Militia and Scouts in accordance with the provisions of this Act and of any rules made thereunder.

(2) The Kurram Militia, the Tochi Scouts and the South Waziristan Scouts and the Commandants of each of the said units shall in time of peace be subject, save in respect of administration, interior economy and training, to the general control and direction of the Political Agent for the Kurram, for North Waziristan and for South Waziristan, respectively.

(3) In exercising authority under sub-section (2), the Political Agent shall be governed by such rules and orders as the Local Government may make in this behalf.

8. *More heinous offences.*—(1) Every member of the Frontier Corps who commits any of the following offences, that is to say:—

- (a) begins, excites, causes or conspires to cause, or joins in, any mutiny; or being present at any mutiny, does not use his utmost endeavours to suppress it, or knowing, or having reason to believe in, the existence of any mutiny, or of any intention to mutiny, or of any conspiracy against the State does not, without delay, give information thereof to his commanding or other superior officer; or,
- (b) uses, or attempts to use, criminal force to, or commits an assault on, his superior officer whether on or off duty knowing or having reason to believe him to be such; or,
- (c) shamefully abandons or delivers up any garrison, fortress, post or guard which is committed to his charge, or which it is his duty to defend; or,
- (d) directly or indirectly holds correspondence with, or assists or relieves, any person in arms against the State, or omits to discover immediately to his commanding or other superior officer any such correspondence coming to his knowledge; or,

who, while on active service,—

- (e) disobeys the lawful command of his superior officer; or,
- (f) deserts the service; or,
- (g) being a sentry, sleeps upon his post, or quits it without being regularly relieved or without leave; or,
- (h) without authority, leaves his commanding officer, or his post or party, to go in search of plunder; or,
- (i) quits his guard, picquet, party or patrol without being regularly relieved or without leave; or,
- (j) uses criminal force to, or commits an assault on, any person bringing provisions or other necessities to camp or quarters, or forces a safeguard or, without authority, breaks

into any house or any other place for plunder, or plunders, destroys, or damages any property of any kind; or,

(k) intentionally causes or spreads a false alarm in action or in camp, garrison or quarters; or,

(l) displays cowardice in the execution of his duty;

shall be punishable with transportation for life or for a term of not less than seven years, or with imprisonment for a term which may extend to fourteen years, or with fine which may extend to three months' pay, or with fine to that extent in addition to such sentence of transportation or imprisonment, as the case may be, as may be passed upon him under this section.

(2) If any member of the Frontier Corps, while on active service with a force beyond the limits of British India, is charged with committing any offence described in clause (c), clause (d), or clause (f), of sub-section (1), or the offence of culpable homicide amounting to murder, he may be summarily tried for such offence by the Political Officer accompanying the force, sitting with two other officers appointed by the Political Officer for this purpose.

(3) Every officer appointed under sub-section (2) shall be either,—

(a) a British officer, that is to say, a person holding a commission in His Majesty's land forces, or,

(b) a civil officer, of gazetted rank, or,

(c) a person appointed under Section 5:

Provided that, if circumstances permit, not less than one such officer shall be a Frontier Corps Officer appointed under section 5.

(4) If one or both of the officers sitting with the Political Officer concur with him in finding the accused guilty, and the Political Officer so directs, the accused shall be forthwith shot to death.

9. *Less heinous offences.*—Every member of the Frontier Corps who commits any of the following offences, that is to say,—

(a) is in a state of intoxication when on, or after having been warned for, any duty, or on parade or on the line of march; or,

(b) strikes or attempts to force any sentry; or,

(c) being in command of a guard, picquet or patrol, refuses to receive any prisoner or person duly committed to his charge, or, without proper authority, releases any prisoner or person placed under his charge, or negligently suffers any such prisoner or person to escape: or,

- (d) being under arrest or in confinement, leaves his arrest or confinement, before he is set at liberty by proper authority; or,
- (e) is grossly insubordinate or insolent to his superior officer in the execution of his office; or,
- (f) refuses to superintend or assist in the making of any field-work or other work of any description ordered to be made either in quarters or in the field; or,
- (g) strikes or otherwise ill-uses any member of the Frontier Corps subordinate to him in rank or position; or
- (h) being in command at any post or on the march, and receiving a complaint that any one under his command has beaten or otherwise maltreated or oppressed any person, or has committed any riot or trespass, fails, on proof of the truth of the complaint, to have due reparation made, as far as possible, to the injured person or to report the case to the proper authority, or,
- (i) designedly or through neglect injures or loses, or fraudulently disposes of, his arms, clothes, tools, equipments, ammunition, accoutrements or Frontier Corps necessities, or any such articles entrusted to him or belonging to any other person; or,
- (j) malingers or feigns or produces disease or infirmity in himself, or intentionally delays his cure, or aggravates his disease or infirmity; or,
- (k) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person; or,
- (l) does not, when called upon by his superior officer so to do or upon ceasing to be a member of the Frontier Corps, forthwith deliver up, or duly account for, all or any arms, ammunition, stores, accoutrements, appointments or other property issued or supplied to him or in his custody or possession, as such member of the Frontier Corps; or,
- (m) knowingly furnishes a false return or report of the number or state of any men under his command or charge, or of any money, arms, ammunition, clothing, equipments, stores or other property in his charge, whether belonging to such men or to Government, or to any member of, or any person attached to, the Frontier Corps or who, through design or culpable neglect omits or refuses to make or send any return or report of the matters aforesaid; or,
- (n) absents himself without leave, or, without sufficient cause, overstays leave granted to him; or,



- (o) is guilty of any act or omission which, though not specified in the Act, is prejudicial to good order and discipline; or, who, while not on active service,—
- (p) disobeys the lawful command of his superior officer; or,
- (q) deserts the service; or,
- (r) being a sentry, sleeps upon his post, or quits it without being regularly relieved or without leave; or,
- (s) quits his guard, picquet, party, or patrol without being regularly relieved or without leave; or,
- (t) plunders, destroys or damages any property of any kind; or,
- (u) displays cowardice in the execution of his duty;

shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to three months' pay or with both.

10. (1) The Inspecting Officer may, subject to any rules made under this Act, summarily award, in lieu of or in addition to suspension or dismissal, any of the following punishments to any member of the Frontier Corps who is in the opinion of the Inspecting Officer, guilty of disobedience, neglect of duty or remissness in the discharge of any duty or of rendering himself unfit to discharge his duty or of other misconduct in his capacity as such member, that is to say,—

- (a) reduction in rank and emoluments;
- (b) fine to any amount not exceeding one month's pay and allowances;
- (c) confinement to quarters for a term not exceeding one month;
- (d) imprisonment for not more than two years, with or without punishment drill or extra guard, fatigue or other duty;
- (e) removal from any office or distinction or special emolument in the Frontier Corps to which he belongs;
- (f) extra guards and picquets;
- (g) forfeiture of good service or good conduct pay;
- (h) in the case of non-commissioned officers, reprimand or severe reprimand:

Provided that the punishments specified in clause (c) and clause (d) shall not be awarded to Indian Officers.

(2) The Commandant of a unit of Militia or Scouts may, in respect of members of such unit, exercise the powers conferred on the Inspecting Officer by sub-section (1):

Provided that a Commandant shall not award imprisonment for a period exceeding one year, or, in the case of an Indian officer, the punishment of reduction in rank.

(3) The Commandant of a unit of Militia or Scouts may delegate to any British officer under his command the powers conferred upon him by sub-section (2) to such extent as he may think fit.

(4) Any one of the punishments described in sub-section (1) may be awarded separately or in combination with any one or more of the said punishments.

11. *Place of imprisonment and liability to dismissal on imprisonment.*—(1) Every person sentenced under this Act to imprisonment may be dismissed from the Frontier Corps to which he belongs and shall be further liable, by special order of the Court or of the Chief Commissioner, to forfeiture of pay and allowances or other public money due to him as well as of medals and decorations received.

(2) Every such person shall, if he is so dismissed, be imprisoned in the nearest prison or such other prison as the Local Government may, by general or special order, direct; but, if he is not also dismissed from the Frontier Corps, he may, if the Court or the Commandant so directs, be confined in the quarterguard or such other place as the Court or the Commandant may consider suitable.

12. *Deductions from pay and allowances.*—The following penal deductions may be made from the pay and allowances of a member of the Frontier Corps, that is to say,—

- (a) all pay and allowances for every day of absence either on desertion or without leave, and for every day of imprisonment awarded by a Criminal Court or of confinement awarded by an officer exercising authority under section 10;
- (b) all pay and allowances for every day whilst he is in custody on a charge for an offence of which he is afterwards convicted;
- (c) all pay and allowances for every day on which he is in hospital on account of sickness certified by the proper Medical Officer attending on him at the hospital to have been caused by an offence under this Act committed by him;
- (d) all pay and allowances ordered to be forfeited under section 10; and
- (e) any sum required to make good such compensation for any expenses caused by him, or for any loss of, or damage or destruction done by him to, any arms, ammunition, equipment, clothing, instruments, Frontier Corps necessities or decoration, or to any buildings or property, as may be

awarded by the Inspecting Officer or the Commandant of the Corps.

13. *Collective fines.*—Whenever any weapon or part of a weapon or ammunition forming part of the equipment of a company or other similar unit is lost or stolen, the Commandant may, after making such inquiry as he thinks fit, impose a collective fine upon the subordinate officers and men of such unit, or upon so many of them as, in his judgment, should be held responsible for such loss or theft.

14. *Resignation and withdrawal from the Frontier Corps.*—No member of the Frontier Corps shall be at liberty to—

- (a) resign his appointment during the term of his engagement, or,
- (b) withdraw himself from all or any of the duties of his appointment,

without the sanction of the Commandant or other officer authorised by the Commandant to grant such permission.

15. *General duties of members of the Frontier Corps.*—(1) It shall be the duty of every member of the Frontier Corps promptly to obey and to execute all orders and warrants lawfully issued to him by any competent authority, to detect and bring offenders to justice, and to apprehend, all persons whom he is legally authorised to apprehend, and for whose apprehension sufficient grounds exist.

(2) Every member of the Frontier Corps shall be liable to serve without and beyond, as well as within, the limits of British India.

16. *Omitted.*

17. *Protection for acts of members of the Frontier Corps.*—(1) In any suit or proceeding against any member of the Frontier Corps for any act done by him in pursuance of a warrant or order of a competent authority, it shall be lawful for him to plead that such act was done by him under the authority of such warrant or order.

(2) Such plea may be proved by the production of the warrant or order directing the act, and, if it is so proved, such member of the Frontier Corps shall thereupon be discharged from liability in respect of the act so done by him notwithstanding any defect in the jurisdiction of the authority which issued such warrant or order.

(3) All suits and proceedings (whether civil or criminal) against any person which may lawfully be brought for anything done or intended to be done under the powers conferred by, or in pursuance of any provision of this Act or the rules thereunder, shall be commenced within three months after the act complained of was committed and not otherwise; and notice, in writing, of such suit or proceeding and of the cause thereof shall be given to the defendant or his superior officer one month at least before the commencement of the suit or proceeding.

V of 1898

18. *Authority to confer exclusive powers of Sessions Court on Political Agent and Deputy Commissioner.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898), the Local Government may declare that the Court of any Political Agent or Deputy Commissioner and no other Court shall be deemed to be the Court of Session or the Court of a Magistrate for the disposal of cases or of any class of cases arising under this Act and that appeals from sentences passed under this Act or from any class of such sentences shall lie to the Court of the Chief Commissioner and to no other Court.

V of 1898.

19. *Criminal powers conferred within British India to be exercisable beyond British India.*—Any person invested with any powers under the Code of Criminal Procedure, 1898, for the disposal of any case under this Act within the limits of British India shall, in relation to any case arising under this Act beyond such limits, have the same power and be subject to the same conditions as to appeal or otherwise as if such case had arisen within such limits.

20. *Application of Act to other bodies enrolled for service on frontier.*—The Local Government, subject to the control of the Governor-General in Council, may, by notification in the official Gazette, apply, with such modifications (if any) as it may think fit, any of the provisions of this Act and the rules thereunder to the Border Militia or to any persons for the time being enrolled for similar service on the external frontier of British India.

21. *Power to make rules.*—The Local Government may, by notification in the official Gazette, make rules—

- (a) regulating the functions and powers of the Political Agent, Inspecting Officer, Commandant and other British Officers of the Frontier Corps under this Act;
- (b) regulating, subject to the provisions of section 4, the classes and grades of, and the remuneration to be paid to, the officers and men of, and the conditions of service in, the Frontier Corps;
- (c) fixing the period of service for members of the Frontier Corps in any district or local area;
- (d) regulating the award of minor punishments to Frontier Corps Officers under the powers conferred by section 10, and providing for appeals from, or the revision of orders under, that section, or the remission of fines imposed under that section, and the remission of deductions made under section 12;
- (e) regulating the several or collective liability of members of the Frontier Corps in the case of the loss or theft of weapons and ammunition; and

(f) generally, for the purpose of carrying into effect the provisions of this Act.

22. *Repeal.*—The North-West Border Military Police Act, 1904, is IV of 1904. hereby repealed.

## THE SCHEDULE.

### CONDITIONS OF SERVICE.

[See Section 2, clause (a).]

AFTER you have served for such periods as the Local Government may have prescribed in this behalf in the Frontier Corps maintained under the North-West Frontier Constabulary Act, 1915, you may, at any time, when not on active service, apply for your discharge, through the officer to whom you may be subordinate, to the Commandant, and you will be granted your discharge after three months from the date of your application, unless your discharge would cause the vacancies of your class in your unit of the Frontier Corps to exceed one-tenth of the sanctioned strength, in which case you shall be bound to remain until this objection is waived by competent authority or removed. But, when on active service, you shall have no claim to a discharge, and you shall be bound to remain to do your duty until the necessity for retaining you in the Frontier Corps ceases, when you may make your application in the manner hereinbefore prescribed:

Signature of the member of the Frontier Corps in acknowledgment of the above having been read to him.	}	A. B.
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Signed in my presence after I had ascertained that A. B. understood the purport of what he signed.	}	C. D.
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Commandant.

*Publication of newspapers and other printed matters.*

No. 2651-I., dated the 25th June, 1891.—Printed in Appendix XVII.

*Dir, Swat and Chitral.*

Enactments applied.

In the exercise of the powers hereby<sup>1</sup> conferred upon them, the Political Agent and the Assistant Political Agents will be guided by the spirit and the principles of the Code of Criminal Procedure, 1898 (Act V of 1898), and of the Indian Penal Code, 1860 (Act XLV of

<sup>1</sup> See the extract from this letter printed *infra*, page 278. In the grant of powers certain modifications are made in the Code of Criminal Procedure and the Frontier Crimes Regulation.

1860): and in cases which in British India would come under the Frontier Crimes Regulation, 1901 (III of 1901), or under the Frontier Murderous Outrages Regulation, 1901 (IV of 1901), the Political Agent and Assistant Political Agents may act as if these enactments were in force in the Agency.

[*Letter of the Government of India, No. 1690-F., dated the 23rd June, 1902.*]

### *Khyber Agency.*

#### Enactments applied.

In the exercise of the powers hereby <sup>1</sup> conferred upon him, the Political Agent will be guided by the spirit and the principles of the Code of Criminal Procedure, 1898 (Act V of 1898), and of the Indian Penal Code, 1860 (Act XLV of 1860): and in cases which in British India would come under the Frontier Crimes Regulation, 1901 (III of 1901), or under the Frontier Murderous Outrages Regulation, 1901 (IV of 1901), the Political Agent may act as if these enactments were in force in the Agency.

[*Letter of the Government of India, No. 1424-F., dated the 25th May, 1903.*]

#### *Workmen's Compensation Act, 1923.*

##### Principles applied to the Khyber Railway.

Letter of the Government of India, No. 286-F., dated the 16th April, 1927, authorises the Political Agent, Khyber, to issue orders for the award of compensation to workmen injured on the Khyber Railway in accordance with the spirit and principles of the Workmen's Compensation Act, 1923 (VIII of 1923), appeals from the orders of the Political Agent lie to the Chief Commissioner.

#### *Khyber Agency Passport Law, 1925.*

No. 246-G., dated the 28th May, 1925.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following law:—

1. This law may be called the Khyber Agency Passport Law, 1925.

<sup>1</sup> See the extract from this letter printed *infra*, page 279. In the grant of powers certain modifications are made in the Code of Criminal Procedure and the Frontier Crimes Regulation.

2. No person proceeding from any place outside India shall enter the Khyber Agency unless he—

- (a) is in possession of a passport endorsed by way of *visa* for British India in accordance with the requirements of the Indian Passport Rules, 1921, or
- (b) is exempted under rule 5 of the said rules from the provisions of rule 3 thereof.

3. Any officer empowered in this behalf by the Chief Commissioner shall have all necessary authority to prevent the entry into, or to remove from, the Khyber Agency any person who attempts to enter, or has entered, the said Agency in contravention of rule 2.

[*Gazette of India*, 1925, Pt. I, p. 470.]

#### *North and South Waziristan.*

##### Enactments applied.

No. 112-F., dated the 24th March, 1926.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of all previous orders on the subjects, the Governor General in Council is pleased to make the following orders for the application of enactments to the tracts known as North Waziristan and South Waziristan, and for the exercise of jurisdiction within and over the said tracts, namely:—

#### *Part I.—Application of Enactments.*

The enactments specified in the Schedule to this Part shall apply to the said tracts in so far as they may be applicable thereto and subject to any amendments to which they are for the time being subject in British India: provided that the said enactments as so applied shall be subject to any modifications necessitated by the provisions of Part II of these orders and to such alterations not affecting the substance as may be necessary or proper to adapt them to the matter pending before any Magistrate or Court.

#### *Schedule.*

Number and year.	Short title.
Act XLV of 1860 . . . . .	The Indian Penal Code.
Act V of 1898 . . . . .	The Code of Criminal Procedure, 1898.
Regulation III of 1901 . . . . .	The Frontier Crimes Regulation, 1901.
Regulation IV of 1901 . . . . .	The Frontier Murderous Outrages Regulation, 1901.

#### *Part II.—Jurisdiction.<sup>1</sup>*

[*Gazette of India*, 1926, Pt. I, p. 443.]

<sup>1</sup> Printed *infra*, p. 279.

*Kurram and the Dera Ismail Khan Frontier Tract.*

Enactments applied.

No. 1691-F., dated the 23rd June, 1902.—Whereas the Governor-General in Council has power and jurisdiction within the following tracts:—

(i) The tract bounded on the north by the Gomul river, on the west by the Baluchistan Agency, on the south by the country of the Kasranis, on the east by the Dera Ismail Khan District.

(ii) The Kurram Valley.

In exercise of such power and jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879)<sup>1</sup>, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to make the following orders, namely:—

PART I.

1. [(1) The provisions, so far as they can be made applicable in the circumstances for the time being, of the enactments specified in the First Schedule to this Part, are hereby applied to the aforesaid tracts subject to any amendments to which the enactments are for the time being subject in British India, and, subject, in the case of the Code of Criminal Procedure, 1898, and the Frontier Crimes Regulation, 1901, to the modifications specified in the Second Schedule to this Part.]<sup>2</sup>

(2) For the purpose of facilitating the application of the said enactments to the said tracts, any Magistrate or Court for those tracts may construe any provision in any such enactment with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Magistrate or Court.

FIRST SCHEDULE.

*Enactments applied.*

<i>Number and year.</i>	<i>Subject.</i>
Act XLV of 1860 . . . .	Indian Penal Code.
Act V of 1898 . . . .	Criminal Procedure.
Regulation III of 1901 . . .	Frontier Crimes.
Regulation IV of 1901 . . .	Frontier Murderous Outrages.

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>2</sup> Substituted by Notification No. 1737-I. B., dated the 2nd September, 1910: *Gazette of India*, 1910, Pt. I, p. 828.



SECOND SCHEDULE.

*Modifications in the Code of Criminal Procedure, 1898, and the Frontier Crimes Regulation, 1901.*

1. In the Code of Criminal Procedure, 1898—

(a) The Court of Session may take cognizance of any offence as a Court of original jurisdiction without the accused person being committed to it by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure, 1898, for the trial of warrant cases by Magistrates.

[(b) In any case in which the Deputy Commissioner, Dera Ismail Khan, or the Political Agent, Kurram, in exercise of powers under the Code of Criminal Procedure, applied as aforesaid, passes a sentence of death, or of transportation or of imprisonment for a term exceeding one year, an appeal shall lie to the Judicial Commissioner of the North-West Frontier Province; and, except in cases coming under Regulation IV of 1901, no sentence of death passed by the Deputy Commissioner, Dera Ismail Khan, or the Political Agent, Kurram, shall be carried out until it is confirmed by the Judicial Commissioner.]<sup>1</sup>

(c) Trials before the Court of Session may, in the discretion of the Sessions Judge, be without jury or the aid of assessors.

2. In the Frontier Crimes Regulation, 1901—

(a) All references to the Commissioner or the Court of the Commissioner shall be read as referring to the Agent to the Governor-General, North-West Frontier Province, or such officer as the said Agent to the Governor-General may appoint in this behalf.

(b) For sub-section (1) of section 8, the following shall be substituted, namely:—

“When the Deputy Commissioner or the Political Agent thinks it expedient that any dispute should be settled in the manner provided by this section, he may make an order in writing stating the grounds of his opinion and referring the dispute to a Council of Elders.”

PART II.<sup>2</sup>

[*Gazette of India*, 1902, Pt. I, p. 467.]

<sup>1</sup> Substituted by Notification No. 2682-F., dated the 23rd September, 1907. *Gazette of India*, 1907, Pt. I, p. 871.

<sup>2</sup> Printed *infra*, p. 281.

*Pitao Sorai Malandri Area.*

Laws in force and administrative arrangements.

*No. 413-F., dated the 25th June, 1928.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of the area known as the Pitao Sorai Malandri area the boundaries of which are specified in the Schedule annexed hereto:—

- (1) All laws for the time being in force in the Peshawar District of the North-West Frontier Province shall be in force in the said area;
- (2) The Chief Commissioner of the North-West Frontier Province and all officers subordinate to him for the time being exercising executive authority within the said district shall exercise the like authority within the said area;
- (3) All courts having for the time being jurisdiction within the said district shall have the like jurisdiction within the said area.

*Schedule.*

The area lying between the present boundary of the villages of Bahroch, Baringan, Bazar and Surkhavi and the main watershed to the north-east from Khan Baba (Point 4710) through Pato Sar to the Ambeyla Pass.

[*Gazette of India*, 1928, Pt. I, p. 606.]



## VI.—Orders relating to Courts.

*Empowering British Courts beyond the limits of British India to send warrants for the execution of capital sentences to officers in charge of prisons in British India.*

No. 1431, dated the 27th April, 1893.—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in territories of India outside British India.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

*Jurisdiction of the High Court at Lahore over European British subjects in these territories.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

### *Appointment of Justices of the Peace.*

The Governor-General in Council, in exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, 1879<sup>1</sup> (XXI of 1879), and of all other powers enabling him in this behalf, hereby appoints the Political Agent for Dir, Swat and Chitral for the time being, and every Assistant Political Agent for the time being, to be a Justice of the Peace within the Agency, and also directs that the Chief Court of the Punjab shall be the Court to which these officers shall, as Justices of the Peace, commit for trial.

[*Letter of the Government of India*, No. 1690-F., dated the 23rd June, 1902.]

The Governor-General in Council, in exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, hereby appoints the Political Agent in the Khyber for the time being to be a Justice of the Peace within the Agency, and also directs that the Chief

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

Court of the Punjab shall be the Court to which this officer shall, as such Justice of the Peace, commit for trial.

[*Letter of the Government of India*, No. 1424-F., dated the 25th May, 1903.]

*No. 113-F., dated the 24th March, 1926.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to appoint the Political Agents for the time being for North Waziristan and South Waziristan, being European British subjects, to be Justices of the Peace within North Waziristan and South Waziristan respectively and to direct that the High Court of Judicature at Lahore shall be the Court to which the said Political Agents shall, as such Justices of the Peace, commit for trial.

[*Gazette of India*, 1926, Pt. I, p. 444.]

*Constitution of Criminal Courts in Dir, Swat and Chitral.*

The Governor-General in Council is pleased hereby to authorise the Political Agent for Dir, Swat and Chitral for the time being, and the Assistant Political Agents for the time being, to exercise within the Dir, Swat and Chitral Agency all the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898 (Act V of 1898), and of a Deputy Commissioner as described in the Frontier Crimes Regulation, 1901 (III of 1901), and of a Sessions Judge as described in the Frontier Murderous Outrages Regulation, 1901 (IV of 1901).

[In any case in which a Political Agent in exercise of the powers under the Code of Criminal Procedure applied as aforesaid passes a sentence of death, or of transportation, or of imprisonment for a term exceeding one year, an appeal shall lie to the Judicial Commissioner of the North-West Frontier Province, and, except in cases coming under Regulation IV of 1901, no sentence of death passed by a Political Agent should be carried out until it is confirmed by the Judicial Commissioner.]<sup>1</sup>

In the case of the Assistant Political Agents the authority is subject to the following provisos:—

- (a) that in no case shall an Assistant Political Agent enter upon the exercise of the above powers without the express sanction in writing of the Political Agent;
- (b) that all sentences of imprisonment passed by an Assistant Political Agent for a term exceeding one year shall require the confirmation of the Political Agent;
- (c) that in any case in which an Assistant Political Agent passes a sentence of imprisonment for a term exceeding six months an appeal shall lie to the Political Agent;

<sup>1</sup> Substituted by the letter of the Government of India, No. 1053-F., dated the 4th December, 1909.

- (d) that in cases under Regulation IV of 1901 no sentence of death passed by an Assistant Political Agent shall be carried out unless and until it is confirmed by the Political Agent; and
- (e) that in cases under other Acts, no sentence of death passed by an Assistant Political Agent shall be carried out unless and until it is confirmed by the Agent to the Governor-General, North-West Frontier Province.

In any case in which neither of the parties is a British subject, the Political Agent and Assistant Political Agent may in their discretion refuse to exercise the powers now conferred upon them.

[*Letter of the Government of India*, No. 1690-F., dated the 23rd June, 1902.]

*Constitution of Criminal Courts in the Khyber Agency.*

The Governor-General in Council is pleased hereby to authorise the Political Agent in the Khyber for the time being to exercise within the Khyber Agency all the powers of a District Magistrate and of a Court of Session as described in the Code of Criminal Procedure, 1898 (Act V of 1898), and of a Deputy Commissioner as described in the Frontier Crimes Regulation, 1901 (III of 1901), and of a Sessions Judge as described in the Frontier Murderous Outrages Regulation, 1901 (IV of 1901).

[In any case in which a Political Agent, in exercise of powers under the Code of Criminal Procedure, applied as aforesaid, passes a sentence of death, or of transportation, or of imprisonment for a term exceeding one year, an appeal shall lie to the Judicial Commissioner of the North-West Frontier Province: and, except in cases coming under Regulation IV of 1901, no sentence of death passed by a Political Agent shall be carried out until it is confirmed by the Judicial Commissioner.]<sup>1</sup>

In any case in which neither of the parties is a British subject, the Political Agent may in his discretion refuse to exercise the powers now conferred upon him.

[*Letter of the Government of India*, No. 1424-F., dated the 25th May, 1903.]

*Constitution of Criminal Courts in North and South Waziristan.*

No. 112-F., dated the 24th March, 1926.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession

<sup>1</sup> Substituted by the letter of the Government of India, No. 1053-F., dated the 4th December, 1909.

of all previous orders on the subjects, the Governor-General in Council is pleased to make the following orders for the application of enactments to the tracts known as North Waziristan and South Waziristan, and for the exercise of jurisdiction within and over the said tracts, namely:—

PART I.—APPLICATION OF ENACTMENTS.

\* \* \* \* \*

PART II.—JURISDICTION.

1. Assistant Political Officers, Tahsildars and Naib Tahsildars within North Waziristan and South Waziristan shall exercise within the said tracts respectively all the powers of a Magistrate of the first class, a Magistrate of the second class and a Magistrate of the third class respectively under the Code of Criminal Procedure, 1898, as applied by these orders. The Political Agents, North Waziristan and South Waziristan, shall exercise within the said tracts, respectively, all the powers of a District Magistrate and a Court of Session under the said Code as so applied, and of a District Magistrate or Deputy Commissioner under the Frontier Crimes Regulation, 1901, as so applied, and of a Deputy Commissioner or Sessions Judge under the Frontier Murderous Outrages Regulation, 1901, as so applied. The Court of the Judicial Commissioner, North-West Frontier Province, shall exercise all the powers of a High Court under the Code of Criminal Procedure, 1898, as so applied, and the Agent to the Governor-General, North-West Frontier Province, or such officer as he may appoint in this behalf shall exercise all the powers of the Commissioner or of the Court of the Commissioner under the Frontier Crimes Regulation, 1901, as so applied.

Provided as follows:—

- (a) The Political Agents, North Waziristan and South Waziristan, may, in their discretion, and save in serious cases, ordinarily shall, refuse to exercise the jurisdiction hereby conferred upon them if none of the parties to the case is a British subject.
- (b) In the exercise of the jurisdiction of a Court of Session under the Code of Criminal Procedure, 1898, as applied by these orders, the Political Agents, North Waziristan and South Waziristan, may take cognisance of offences as Courts of original jurisdiction without the accused person being committed by a Magistrate, and when so taking cognisance of any offence, shall follow the procedure prescribed by the Code of Criminal Procedure, 1898; for the trial of warrant cases by Magistrates.

- (c) An appeal shall lie to the Court of the Judicial Commissioner, North-West Frontier Province, in the exercise of the powers of a High Court under the Code of Criminal Procedure, 1898, as applied by these orders, from any sentence of death, transportation, or imprisonment for a term exceeding one year which is passed by the Political Agent, North Waziristan, or the Political Agent, South Waziristan, whether in the exercise of the jurisdiction of a Court of Session or of a District Magistrate under the said Code as so applied. Save as aforesaid, no appeal shall lie from any sentence passed by such Political Agent.

2. The Political Agents, North Waziristan and South Waziristan, may transfer any case in respect of which they are hereby authorised to exercise the powers of a District Magistrate or of a Court of Session under the Code of Criminal Procedure, 1898, as applied by these orders, to the District Magistrate of the Bannu and Dera Ismail Khan districts respectively. Any case which is so transferred shall, notwithstanding anything contained in paragraph 1 of this Part, be disposed of in all respects as though it were a case under the Code of Criminal Procedure, 1898, as in force in British India triable in the Bannu or Dera Ismail Khan districts as the case may be; and any Court or Magistrate exercising jurisdiction under the said Code as so in force shall in respect of any case which is so transferred exercise the like jurisdiction under the said Code as applied by these orders; that is to say, the jurisdiction of a High Court and of a Court of Session under the Code as so applied shall in respect of any such case be exercised respectively by the court of the Judicial Commissioner, North-West Frontier Province, and the Divisional and Sessions Judge, Derajat; the jurisdiction of the District Magistrate shall be exercised by the District Magistrate of the Bannu or Dera Ismail Khan district as the case may be, and the jurisdiction of a Magistrate of the first, second or third class shall be exercised by any Magistrate exercising in the Bannu or Dera Ismail Khan district as the case may be, the jurisdiction of a Magistrate of the class concerned under the said Code as in force in British India.

3. Nothing in this Part applies to proceedings against European British subjects or persons jointly tried with European British subjects.

[*Gazette of India*, 1926, Pt. I, p. 443.]

*Constitution of Criminal Courts in Kurram and the Dera Ismail Khan Frontier Tract.*

No. 1691-F., dated the 23rd June, 1902.—Whereas the Governor-General in Council has power and jurisdiction within the following tracts:—

- (i) The tract bounded on the north by the Gomal river, on the west by the Baluchistan Agency, on the south by the coun-



try of the Kasranis, on the east by the Dera Ismail Khan District.

(ii) The Kurram Valley.

In exercise of such power and jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879),<sup>1</sup> and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to make the following orders namely:—

PART I.

\* \* \* \* \*

PART II.

For the purposes of the exercise of criminal jurisdiction as regards the aforesaid tracts:—

1. (a) The Deputy Commissioner for the time being of the Dera Ismail Khan District as regards the first of the said tracts, shall exercise the powers of a District Magistrate and of a Court of Session, as described in the Code of Criminal Procedure, 1898, and of a Deputy Commissioner under the Frontier Crimes Regulation, 1901, as applied by this notification, and of a Deputy Commissioner or Sessions Judge under the Frontier Murderous Outrages Regulation, 1901, as so applied.
- (b) Every Magistrate having for the time being any jurisdiction within the Dera Ismail Khan District shall exercise the like jurisdiction as regards the said tract.
2. The Political Agent for the time being in Kurram shall, as regards the Kurram Valley, exercise the powers of a District Magistrate and of a Court of Session, as described in the Code of Criminal Procedure, 1898, and of a Deputy Commissioner under the Frontier Crimes Regulation, 1901, as applied by this notification, and of a Deputy Commissioner or Sessions Judge under the Frontier Murderous Outrages Regulation, 1901, as so applied.
3. In respect of all cases tried under the Code of Criminal Procedure, 1898, as applied by this Notification, the functions of the High Court as a Court of Appeal, Reference and Revision shall be discharged by the Judicial Commissioner, North-West Frontier Province.
4. This Part of this notification applies to all proceedings, except proceedings against European British subjects or persons jointly charged with European British subjects.

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>2</sup> Printed *supra*, p. 273.

PART III.—NOTIFICATIONS CANCELLED. Not reprinted.

[*Gazette of India*, 1902, Pt. I, p. 467.]

*Pitao Sorai Malandri area Jurisdiction of the Peshawar Courts.*

*No. 413-F., dated the 25th June, 1928.*—Printed *supra*, page 275.

*Courts for the disposal of cases under the North-West Frontier Constabulary Act, 1915.*

*No. 2047-M., dated the 16th June, 1925.*—Printed *infra*, page 286.



## VII.—Orders under Acts Applied.

## SEA CUSTOMS ACT, 1878.

*Prohibition against the bringing of Aircraft or parts of Aircraft by land into the Administered Districts and Political Agencies.*

No. 444-F., dated the 22nd September, 1926.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as in force in British India and as locally applied, the Governor-General in Council is pleased to prohibit the bringing of aircraft or parts of aircraft by land into any of the areas specified in the first column of the subjoined table save under a license granted by the authority specified in the corresponding entry in the second column thereof:—

Table.

Area.	Authority.
(1) The Administered Districts and Political Agencies of the North-West Frontier Province.	The Chief Commissioner and Agent to the Governor General, North-West Frontier Province.
(2) * * * * *	* * * * *

*Explanation.*—For the purposes of this notification the expression “parts of aircraft” shall mean such parts as are indispensable for the operation of the type of aircraft for which they are intended, and for that purpose have been given a special shape or quality which would not be essential for their use for any other purpose.

[*Gazette of India*, 1926, Pt. I, p. 1046.]

## INDIAN AIRCRAFT ACT, 1911.

*Prohibition against the Navigation of Aircraft.*

No. A.-17, dated the 1st October, 1926.—In exercise of the powers conferred by sub-section (1) of section 7 of the Indian Aircraft Act, 1911 (XVII of 1911), as in force in British India and as locally applied, the Governor-General in Council is pleased to prohibit the navigation of aircraft, except by reason of stress of weather or other unavoidable cause, over any of the areas specified in the first column of the annexed Schedule, save under a license granted by the authority specified in the corresponding entry in the second column thereof:

Schedule.

Area.	Authority.
(1) The Administered Districts and Political Agencies of the North-West Frontier Province.	The Chief Commissioner and Agent to the Governor General, North-West Frontier Province.
(2) * * * * *	* * * * *

[*Gazette of India*, 1926, Pt. I, p. 1068.]

NORTH-WEST FRONTIER CONSTABULARY ACT, 1915.

*Courts for the disposal of cases under the Act.*

No. 2047-M., dated the 16th June, 1925.—In exercise of the powers conferred by section 18 of the North-West Frontier Constabulary Act, 1915, extended to the Frontier Corps (*viz.*, the Kurram Militia, the Tochi Scouts and the South Waziristan Scouts) *vide* this Administration's Notification No. 1085-M., dated the 27th March, 1925, the Chief Commissioner, North-West Frontier Province, is pleased to declare that the Courts of the Political Agent, Kurram,<sup>1</sup> [North and South Waziristan,] shall be deemed to be the Courts of Sessions or the courts of a District Magistrate for the disposal of cases or of any class of cases arising under the North-West Frontier Constabulary Act, 1915, and that appeals from sentences passed under this Act or from any class of such sentences shall lie to the Court of the Chief Commissioner, North-West Frontier Province, and to no other Court.

[N.-W. F. P. Government Gazette, 1925, Pt. I-A, p. 511.]

<sup>1</sup> See Notification No. 3740-M., dated the 29th October, 1925. N.-W. F. P. Government Gazette, 1925, Pt. I-A, p. 980.





### CHAPTER III.—KASHMIR AGENCY.

The Kashmir Residency comprises:—

- (a) The territories of His Highness the Maharaja of Jammu and Kashmir, and
- (b) The States of Hunza and Nagir and the political districts of Chilas, Ishkoman, Yasin and Kuh Ghizar, which acknowledge the suzerainty of the Maharajah of Kashmir.

The Gilgit Wazarat of Kashmir, the States of Hunza and Nagir and the political districts of Chilas, Ishkoman, Yasin and Kuh Ghizar are immediately within the political charge, in subordination to the Resident, of the Political Agent of Gilgit and constitute the Gilgit Agency. An Assistant to the Resident who is *ex-officio* British Joint Commissioner for the Central Asian Trade Route under the Treaty<sup>1</sup> of 1870 is in political charge of affairs on the Ladakh frontier. The rest of the Residency is directly within the political charge of the Resident.

In the territories of His Highness the Maharaja the political authorities possess the following jurisdiction:—

*Criminal.*—The Resident and his Assistants have powers to enquire into or try cases against Europeans (both British subjects and of other nationalities), Americans, Christians of European descent, Native Indian subjects of His Majesty when merely visiting the territories of His Highness or acting as servants of a European British subject, and British subjects accused of having committed offences conjointly with European British subjects.

The trial of Native Indian subjects who ordinarily dwell, or carry on business, or personally work for gain within His Highness' territories, ordinarily rests with the Courts of the Jammu and Kashmir Government. At the same time, any such person convicted by the State Courts has the right of making a representation to the Resident, who will address the Jammu and Kashmir Government if he considers that there is ground for interference.

*Civil.*—The Resident and his Assistants have powers to dispose of civil suits in which both parties are subjects of His Majesty, or the defendant is a European British subject, or the defendant is a Native Indian subject of His Majesty and at the time of the commencement of the suit does not ordinarily dwell or carry on business or personally work for gain within the territories of the Maharaja.

All other suits between subjects of His Majesty on the one hand and subjects of the Maharaja on the other hand are ordinarily triable in the Courts of the State.

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<sup>1</sup> Treaties, Volume XI, Ed. 1909, p. 272.



Provision for the exercise of this jurisdiction is made in Notification<sup>1</sup> No. 933-E., dated the 8th May, 1891: but for convenience a further set of criminal courts has been created for the Gilgit district by Notification<sup>2</sup> No. 1231-F., dated the 11th May, 1893.

There are special rules<sup>3</sup> with regard to visits and residence in His Highness the Maharaja's territories of all persons other than those of Indian and Tibetan nationality, breach of which renders the offender liable to expulsion.

In the political districts of the Gilgit Agency the jurisdiction of the political authorities extends to the people of the country, as well as to British subjects, Europeans and Americans, and Government servants, but in the case of the former is only exercised where it is necessary to supplement the usual tribal authority.

As Joint Commissioner for the trade route the Assistant to the Resident at Leh is vested with special jurisdiction as defined in the Rules<sup>4</sup> framed under the Treaty of 1870.

There are no Administered Areas in the Kashmir Agency. The Railway lands which are subject to British jurisdiction are included in the North-Western Division of Railways enumerated in Volume VIII.

<sup>1</sup> Printed *infra*, p. 300.

<sup>2</sup> Printed *infra*, p. 301.

<sup>3</sup> See Notifications No. 2267-E. C., dated the 21st June, 1907 (*Gazette of India*, 1907, Pt. I, p. 500); No. 2988-I. B., dated the 8th September, 1920 (*Gazette of India*, 1920, Pt. I, p. 1745); and No. 434-P, dated the 19th July, 1927 (*Gazette of India*, 1927, Pt. I, p. 780).

<sup>4</sup> See Notification No. 788, dated the 16th May, 1870. (*Gazette of India*, 1870, Pt. I, p. 332, or Appendix No. V and No. VI to Treaties Volume XI, Ed. 1909, pp. XI and XIII.)

TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU  
AND KASHMIR.

The following British enactments are in force in the territories of His Highness the Maharaja of Jammu and Kashmir:—

I.—Statutes.<sup>1</sup>—

II.—Acts of the Governor General in Council and of the Indian Legislature.—See Appendix II.

III.—Orders under Statutes.—See *infra*, page 290.

IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.—See *infra*, pages 290 to 293.

V.—Special Laws.—See *infra*, pages 295 to 297.

VI.—Orders relating to Courts.—See *infra*, pages 299 to 304.

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<sup>1</sup> Not enumerated. See Preface to this edition, paragraph 4.

### III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* 53 & 54  
Appendix I. *Vict., c. 37.*

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High 5 & 6  
Courts over European British subjects).—*See* Appendix IV. *Geo. V, c. 61.*

### IV.—Orders under Acts of the Governor General in Council and of the Indian Legislature.

#### INDIAN CHRISTIAN MARRIAGE ACT, 1872.

##### *Appointment of Marriage Registrars.*

No. 1595-E., dated the 5th August, 1887.—In exercise of the powers conferred by section 8 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to appoint the officer holding for the time being the office of Resident in Kashmir, and being a Christian, to be a Marriage Registrar in respect of all places within the territories of His Highness the Maharaja of Jammu and Kashmir.

[*Gazette of India*, 1887, Pt. I, p. 400.]

No. 2606-I. B., dated the 9th November, 1917.—In exercise of the powers conferred by section 8 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor-General in Council is pleased to appoint the officers holding for the time being the appointment of Assistant to the Resident in Kashmir, being Christians, to be Marriage Registrars within the territories of His Highness the Maharaja of Jammu and Kashmir.

[*Gazette of India*, 1917, Pt. I, p. 1817.]

##### *Marriage Certificates to be sent to the Registrar General, Punjab.*

No. 3-E., dated the 15th November, 1895.—In exercise of the powers conferred by section 56 of the Indian Christian Marriage Act (XV of 1872), the Governor-General in Council is pleased to appoint the Registrar-General of Births, Deaths and Marriages for the Punjab, for the time being, to be the officer to whom Marriage Registrars in the territories of His Highness the Maharaja of Jammu and Kashmir shall send the certificates mentioned in section 54 of the said Act.

[*Gazette of India*, 1895, Pt. I, p. 919.]

*Fees.*

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

SEA CUSTOMS ACT, 1878.

*Prohibition against bringing Buddhistic Sculptures, etc., into British India from Dir, Swat and Chitral and intervening tribal areas without written sanction of Chief Political Officer.*

No. 438-F., dated the 22nd February, 1901.—Printed *supra*, page 256.

INDIAN ARMS ACT, 1878.

*Exemption of certain persons in Indian States from certain prohibitions and directions contained in the Act.*

*Rules regarding the export of arms and ammunition from British India to Indian States and their import into British India from Indian States.*

No. 829-I-22, dated the 3rd November, 1923 (The Indian Arms Rules, 1924.)—Printed in Appendix XXIII.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

*Appointment of Registrar and Registrar-General of Births and Deaths.*

No. 343-I., dated the 25th January, 1889.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to appoint the person for the time being holding the office of Residency Surgeon in Kashmir to be a Registrar of Births and Deaths in respect of the classes of persons indicated in section 11, sub-section (1), clause (b), of the Act for (1) all places situate within the valley of Kashmir, (2) Gulmarg, and (3) Jammu, being within the territories of His Highness the Maharaja of Jammu and Kashmir.

II. For the purposes of section 24, sub-section (2), and section 32 of the said Act, the Governor General in Council is further pleased to appoint the Registrar-General of Births, Deaths and Marriages for the Punjab, for the time being, to be the Registrar-General for the territories of His Highness the Maharaja of Jammu and Kashmir.

292 TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND  
KASHMIR.—(IV.—*Orders under Acts of the Governor General  
in Council and of the Indian Legislature.*)

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*Appointment of Registrars of Births and Deaths.*

No. 4000-Est. A., dated the 2nd December, 1909.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor-General in Council is pleased to appoint the persons for the time being holding the offices specified below to be for all places within the territories of His Highness the Maharaja of Jammu and Kashmir, Registrars of Births and Deaths, in respect of those classes of the community indicated in section 11, subsection (i), clause (b), of the said Act:—

- (1) The First Assistant to the Resident in Kashmir.
- (2) The Durbar Assistant to the Resident in Kashmir.

II. \* \* \* \* \*

[*Gazette of India*, 1909, Pt. I, p. 1655.]

*Rules and fees.*

No. 1173, dated the 19th July, 1888.—Printed in Appendix VI.

INDIAN FOREIGN MARRIAGE ACT, 1903.

*Fees.*

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

*Offences under the Criminal Tribes Act, 1911, declared to be extradition offences.*

No. 4806-I. B., dated the 17th November, 1919.—Printed in Appendix VIII.

*Desertion from certain units of Indian State Forces declared to be an extradition offence.*

No. 405-I., dated the 20th June, 1923.—Printed in Appendix VIII.

*Rules under the Act.*

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix VIII.

TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND 293  
KASHMIR.—(IV.—Orders under Acts of the Governor General  
in Council and of the Indian Legislature.)

*Enticement, taking away or detaining with criminal intent a married woman, declared to be an extradition offence.*

No. 361-I., dated the 29th May, 1929.—In exercise of the powers conferred by the first Schedule to the Indian Extradition Act, 1903 (XV of 1903), the Governor General in Council is pleased to declare the offence of enticing or taking away or detaining with criminal intent a married woman, as defined in Section 498 of the Indian Penal Code, to be an extradition offence within the meaning of the Indian Extradition Act, 1903, in the case of the Jammu and Kashmir State.

[*Gazette of India*, 1929, Pt. I, p. 754.]

INDIAN UNIVERSITIES ACT, 1904.

*Inclusion of Kashmir in the territorial limits of the Punjab University.*

No. 717, dated the 20th August, 1904.—Printed in Appendix IX.

CODE OF CIVIL PROCEDURE, 1908.

See Orders relating to Courts *infra*.

OFFICIAL TRUSTEES ACT, 1913.

*Inclusion of Jammu and Kashmir in the Province of the Punjab for purposes of the Act.*

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

*Inclusion of Jammu and Kashmir in the Province of the Punjab for purposes of the Act.*

No. 1449-I. B., dated the 19th March, 1914.—Printed in Appendix XIII.

*Exercise of the powers and duties of a District Judge under the Act.*

No. 3542-I., dated the 27th August, 1891.—Printed in Appendix XIII.



## V.—Special Laws.<sup>1</sup>

*Special law relating to European British subjects in Kashmir.*

No. 605-P., dated the 28th March, 1873.—By virtue of authority duly acquired in that behalf by agreement with the Maharaja of Kashmir, the Governor General in Council is pleased under sections 4 and 5 of Act XI of 1872<sup>2</sup> (the Foreign Jurisdiction and Extradition Act), to delegate to the British Officer for the time being on duty in Kashmir the powers described in the following Regulations:—

I.—The <sup>3</sup>British Officer for the time being on duty at Srinagar shall represent the British Government in Kashmir, and for the maintenance of good order the following powers and duties are respectively conferred and imposed upon him:—

(a) <sup>4</sup>He may direct any European British subject<sup>5</sup> who is travelling or residing in Kashmir, and who is guilty of any gross misconduct, to leave Kashmir forthwith, and may punish any person knowing of such direction and disobeying the same with rigorous or simple imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both.

(b) \* \* \*<sup>6</sup>

(c) \* \* \*<sup>7</sup>

II. } \* \* \*<sup>6</sup>

III. }

IV.—Persons sentenced to imprisonment shall be transferred to, and confined in, the Sialkot or Rawalpindi Jail.

V. }  
VI. } \* \* \*<sup>6</sup>  
VII. }  
VIII. }

IX.—\* \* \*<sup>8</sup>

X.—\* \* \*<sup>6</sup>

<sup>1</sup> For other Special and Local Laws made under the Indian (Foreign Jurisdiction) Order in Council, 1902, see the Orders relating to Courts, *infra*.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>3</sup> Now the Resident in Kashmir.

<sup>4</sup> This provision is not affected by Rule XII of the Visitors' Rules. See footnote 3 on p. 288.

<sup>5</sup> As defined in section 4 (1) (i) of the Code of Criminal Procedure, 1898.

<sup>6</sup> Cancelled by Part III of Notification No. 933-E., dated the 8th May, 1891. Printed *infra*, p. 300.

<sup>7</sup> Cancelled by Notification No. 260-I. B., dated the 10th February, 1913, and by Part III of Notification No. 933-E., dated the 8th May, 1891. See pp. 296 and 300 *infra*, respectively.

<sup>8</sup> Cancelled by Notification No. 260-I. B., dated the 10th February, 1913. Printed *infra*, p. 296.



Any person convicted on a trial held by such officer may appeal \* \*<sup>1</sup> if such person be an European British subject, \* \* \*<sup>1</sup> to the Chief Court<sup>2</sup> of the Punjab.

XI.—\* \* \*<sup>3</sup>

XII to XV.—\* \* \*<sup>4</sup>

[*Gazette of India*, 1873, Pt. I, p. 257.]

*Application of Acts for purposes of exercise of British jurisdiction where it exists.*

No. 260-I. B., dated the 10th February, 1913.—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir:

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and all of other powers enabling him in that behalf, the Governor General in Council is pleased to apply to the said territories for the purposes of such cases the enactments specified in the first schedule hereto annexed, in so far as the same may be applicable and subject to any amendments to which the enactments are for the time being subject in British India.

II. The notifications of the Government of India in the Foreign Department mentioned in the second schedule hereto annexed are hereby cancelled or amended to the extent noted against each.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdiction or powers conferred or confirmed, notifications published, rules or bye-laws made, orders passed and things done under any of the enactments specified in the notifications hereby superseded in the said territories shall be, as far as may be, deemed to have been respectively commenced, appointed or authorised, conferred, or confirmed, published, made, passed and done, under the corresponding enactments specified in this notification.

<sup>5</sup>*First Schedule.*

The Judicial Officers' Protection Act, 1850 (XVIII of 1850).

The Indian Penal Code (Act XLV of 1860).

The Court-fees Act, 1870 (VII of 1870), as amended by the Court-fees (Punjab Amendment) Act, 1922 (Punjab Act VII of 1922).

<sup>1</sup> See footnote 7 on preceding page.

<sup>2</sup> Now the High Court of Judicature at Lahore.

<sup>3</sup> See footnote 6 on preceding page.

<sup>4</sup> See footnote 8 on preceding page.

<sup>5</sup> The First Schedule was substituted by Notification No. 74-I., dated the 27th February, 1929. *Gazette of India*, 1929, Pt. I, p. 192.

- The Indian Evidence Act, 1872 (I of 1872).  
The Indian Contract Act, 1872 (IX of 1872).  
The Government Savings Banks Act, 1873 (V of 1873).  
The Indian Oaths Act, 1873 (X of 1873).  
The Indian Majority Act, 1875 (IX of 1875).  
The Indian Telegraph Act, 1885 (XIII of 1885).  
The Provincial Small Cause Courts Act, 1887 (IX of 1887).  
The Guardians and Wards Act, 1890 (VIII of 1890).  
The General Clauses Act, 1897 (X of 1897).  
The Code of Criminal Procedure, 1898 (Act V of 1898).  
The Indian Post Office Act, 1898 (VI of 1898).  
The Glanders and Farcy Act, 1899 (XIII of 1899).  
The Code of Civil Procedure, 1908 (Act V of 1908).  
The Indian Limitation Act, 1908 (IX of 1908).  
The Whipping Act, 1909 (IV of 1909).  
The Indian Lunacy Act, 1912 (IV of 1912).  
The Provincial Insolvency Act, 1920 (V of 1920).  
The Indian Succession Act, 1925 (XXXIX of 1925).

*Second Schedule.*

(Notifications cancelled or amended. Not re-printed.)

[*Gazette of India*, 1913, Pt. I, p. 120.]



## VI.—Orders relating to Courts.

*British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

*Jurisdiction of the High Court at Lahore over European British subjects in Jammu and Kashmir.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit for trial to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV

### *Appointment of Justices of the Peace.*

No. 94-I. B. S., dated the 1st April, 1919.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to appoint every officer for the time being holding the office of Resident in Kashmir, Assistant to the Resident in Kashmir, Political Agent at Gilgit, and Assistant Political Agent at Chilas, being an European British subject, to be a Justice of the Peace within the territories of His Highness the Maharaja of Jammu and Kashmir.

2. The notification of the Government of India in the Foreign Department, No. 932-E., dated the 8th May, 1891, and No. 1230-F., dated the 11th May, 1893, are hereby cancelled.

[*Gazette of India, Extraordinary, 1919, p. 306.*]

### *Special judicial powers of the Resident.*

No. 605-P., dated the 28th March, 1873.—Printed, page 295, *supra*.

*Criminal and civil jurisdiction of political officers.*

No. 933-E., dated the 8th May, 1891.—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir: In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879,<sup>1</sup> and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases:—

PART I.—CRIMINAL JUSTICE.

For the purposes of the exercise within the said territories of criminal jurisdiction in such cases as aforesaid:—

- (1) Every Assistant<sup>2</sup> to the Resident in Kashmir for the time being may exercise the powers of a District Magistrate and of a Court of Session as described in the <sup>3</sup>[Code of Criminal Procedure, 1898].
- (2) The Resident in Kashmir for the time being shall exercise the powers of a Court of Session and High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants: Provided that no such Assistant shall commit any accused person for trial to the Resident acting as a Court of Session.
- (3) The Resident in Kashmir for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by any such Assistant \* \* \*<sup>4</sup>
- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, an Assistant may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the <sup>3</sup>Code of Criminal Procedure, 1898, for the trial of warrant-cases by Magistrates.

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>2</sup> By virtue of these powers the Assistant at Leh deals with cases of travellers of the classes specified on page 287, except European British subjects, unless the Joint Commissioners take action under the rules of 1870. See footnote 4 on p. 288 *supra*.

<sup>3</sup> Substituted by Notification No. 260-I. B., dated the 10th February, 1913, printed *supra*, p. 296.

<sup>4</sup> Omitted by Notification No. 531-D., dated the 26th February, 1913. *Gazette of India*, 1913, Pt. I, p. 169.

- (5) A trial before an Assistant in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.
- (6) This part of these orders applies to all proceedings except—
  - (a) proceedings against European British subjects or British subjects jointly charged with European British subjects; and
  - (b) proceedings pending at the date of this notification which should be carried on as if this notification had not been issued.

#### PART II.—CIVIL JUSTICE.

For the purposes of the exercise within the said territories of civil jurisdiction in such cases as aforesaid:—

- (1) Every Assistant<sup>1</sup> to the Resident in Kashmir for the time being may exercise the powers of a District Court, as described in the Code of Civil Procedure, <sup>2</sup>[1908] with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other proceedings in which jurisdiction is conferred on the District Court by the law for the time being in force.
- (2) Every Assistant<sup>1</sup> to the Resident in Kashmir for the time being may exercise the powers of a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, when the amount or value of the subject-matter does not exceed one thousand rupees.
- (3) Appeals shall lie, subject to the law for the time being in force, to the Resident in Kashmir from the decrees and orders of an Assistant, and the Resident shall exercise the powers of a High Court.

\* \* \* \* \*

[Gazette of India, 1891, Pt. I, p. 235.]

#### *Supplementary provisions for the Gilgit District.*

No. 1231-F., dated the 11th May, 1893.—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir: In exer-

<sup>1</sup> See footnote 2 p. 300, *supra*.

<sup>2</sup> Inserted by Notification No. 260-I. B., dated the 10th February, 1913. Printed *supra*, p. 296.

<sup>3</sup> Part III, with the schedule, relating to laws, was cancelled by Notification No. 260-I. B., dated the 10th February, 1913. Printed, *supra*, p. 296.

cise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879)<sup>1</sup>, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases :—

For the purposes of the exercise within the Gilgit district in the said territories of criminal jurisdiction in such cases as aforesaid :

- (1) Every Assistant to the British Agent at Gilgit for the time being may exercise the powers of a District Magistrate as described in the <sup>2</sup>[Code of Criminal Procedure, 1898].
- (2) The British Agent at Gilgit for the time being shall exercise the powers of a Court of Session as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants; provided that no such Assistant shall commit any accused person for trial to the British Agent acting as a Court of Session.
- (3) The Resident in Kashmir for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any Assistant to the British Agent at Gilgit or over which the jurisdiction of a Court of Session is exercised by such British Agent \* <sup>3</sup>.
- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, the British Agent at Gilgit may take cognizance of any offence as a court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1898,<sup>2</sup> for the trial of warrant cases by Magistrates.
- (5) A trial before the British Agent at Gilgit in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.
- (6) These orders apply to all proceedings, except—
  - (a) proceedings against European British subjects or British subjects jointly charged with European British subjects; and

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>2</sup> Substituted by Notification No. 260-I. B., dated 10th February, 1913. Printed *supra*, p. 296.

<sup>3</sup> Omitted by Notification No. 531-D., dated the 26th February, 1913. *Gazette of India*, 1913, Pt. I, p. 169.

- (b) proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

[*Gazette of India*, 1893, Pt. I, p. 248.]

*Jurisdiction of Criminal Courts in Indian States over Indian officers and soldiers of the Indian Army.*

*Government of India letter No. 1389-I. A., dated the 18th April, 1905.*—Printed in Appendix XX.

*Courts in British India empowered to send decrees<sup>1</sup> to the Courts of the Assistant Residents for execution.*

*No. 786-I. B., dated the 9th April, 1913.*—Printed in Appendix XXI-A.

*Service and execution by the Courts of the Assistant Residents of summonses and decrees—(a) of Civil or Revenue Courts in British India; (b) of other Courts established or continued by the Governor General in Council; (c) of certain Courts in Indian States.*

*No. 322-I., dated the 15th May, 1929.*—Printed in Appendix XXI-A.

*Service of summonses and execution of decrees of the Courts of the Assistant Residents<sup>2</sup> by other Courts established or continued by the Governor General in Council.*

*No. 322-I., dated the 15th May, 1929.*—Printed in Appendix XXI-A.

*Service of summonses and execution of decrees of the Courts of the Assistant Residents by Civil Courts of the Baroda and Mysore States.*

*No. 398-I. B., dated the 25th February, 1910.*—Printed in Appendix XXI-C.

*No. 2262-I. B., dated the 24th December, 1912.*—Printed in Appendix XXI-C.

*No. 2623-I. B., dated the 24th December, 1912.*—Printed in Appendix XXI-C.

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<sup>1</sup> As regards summonses see Rule 26 (a) of Order V of the First Schedule of the Code of Civil Procedure, 1908, read with clause (1) of Notification No. 322-I., dated the 15th May, 1929. Printed in Appendix XXI-A.

<sup>2</sup> These Courts may send their summonses and decrees to Courts in British India for service and execution. See sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908).



*Service by Civil Courts of the Kashmir State of summonses of Courts in  
British India.*

*No. 323-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.*

*Execution by certain Courts of the Kashmir State of decrees of Courts  
in British India.*

*No. 321-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.*

*Service of summonses of Civil or Revenue Courts of the Kashmir State  
by Courts in British India.*

*No. 323-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.*

*Execution of decrees of certain Courts of the Kashmir State by Courts in  
British India.*

*No. 321-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.*





HUNZA, NAGIR, CHILAS, ISHKOMAN, YASIN AND KUH  
GHIZAR.

The following British Enactments are in force in the States of Hunza and Nagir and the political districts of Chilas, Ishkoman, Yasin and Kuh Ghizar:—

**I.—Statutes.<sup>1</sup>**

**II.—Acts of the Governor General in Council and of the Indian Legislature.**—See Appendix II.

53 & 54  
Vict., c. 37.

**III.—Orders under Statutes.**—The Indian (Foreign Jurisdiction) Order in Council, 1902.—See Appendix I.

**IV.—Orders under Acts of the Governor General in Council.**

SEA CUSTOMS ACT, 1878.

*Prohibition against bringing Buddhistic sculptures, etc., into British India from the Gilgit Agency or intervening tribal area without written sanction of the Chief Political Officer.*

No. 438-F., dated the 22nd February, 1901.—Printed *supra*, page 256.

INDIAN ARMS ACT, 1878.

*Exemption of certain persons in Indian States from certain prohibitions and directions contained in the Act.*

*Rules regarding the export of arms and ammunition from British India to Indian States and their import into British India from Indian States.*

No. 829-I.-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924.)—Printed in Appendix XXIII.

INDIAN FOREIGN MARRIAGE ACT, 1903.

*Fees.*

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

*Rules under the Act.*

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix VIII.

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<sup>1</sup> Not enumerated. See Preface to this edition, paragraph 4.



## V.—Orders relating to Courts.

*British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.*

*No. 1431-I., dated the 27th April, 1893.*—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in Indian States.*

*No. 1863-I. A., dated the 13th May, 1904.*—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

*No. 319-D., dated the 16th January, 1917.*—Printed in Appendix IV.

*Criminal jurisdiction of political officers in Chilas, Ashkuman, Ghizar Koh and Yasin.*

The Governor-General in Council is pleased to issue the following orders for the purpose of the exercise of criminal jurisdiction within the territories known as Chilas, Ghizar Koh, Yasin and Ashkuman :—

(1) Every Assistant to the Political Agent in Gilgit for the time being may exercise the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898 (Act V of 1898).

(2) The Political Agent in Gilgit for the time being shall exercise the power of a Court of Session as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants.

(3) The Resident in Kashmir for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any Assistant to the Political Agent in Gilgit or over which the jurisdiction of a Court of Session is exercised by such Political Agent.

(4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, the Political Agent in Gilgit may take cognizance of any offence as a Court of Original Criminal Jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1898, for the trial of warrant-cases by Magistrates.

(5) A trial before the Political Agent in Gilgit in the exercise of the jurisdiction of a Court of Session conferred on him by these orders. may be without jury or aid of assessors.

(6) The Political Agent in Gilgit within all the said territories, and the Assistant Political Agent at Chilas within the limits of Chilas, shall exercise all the powers of a Deputy Commissioner as described in the Punjab Frontier Crimes Regulation, 1887 (IV of 1887),<sup>1</sup> provided that the Political Agent in Gilgit shall exercise a general power of revision over the proceedings under this Regulation of the Assistant Political Agent at Chilas, and that orders passed by the Political Agent in Gilgit may be revised by the Resident in Kashmir.

(7) The Political Agent, Gilgit, shall also exercise within the said territories the powers of a Sessions Judge as described in Act XXIII of 1867 <sup>2</sup>(*an Act for the suppression of murderous outrages in certain districts of the Punjab*).

3. In the exercise of the powers hereby conferred upon them, the officers mentioned in the preceding paragraph shall be guided by the spirit and the principles of the Code of Criminal Procedure, 1898 (Act V of 1898), and the Indian Penal Code (Act XLV of 1860), and in cases which in British India would come under the Punjab Frontier Crimes Regulation, 1887 (IV of 1887),<sup>1</sup> or Act XXIII of 1867, the Political Officers may act as if these enactments were in force within their respective charges. The powers conferred relate to criminal proceedings in respect to all persons other than European British subjects and persons jointly charged with European British subjects. Further, in any case in which neither of the parties is a British subject the Political Officers may in their discretion refuse to exercise the powers now conferred upon them.

[*Letter of the Government of India*, No. 1800-F., dated the 24th July, 1901.]

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<sup>1</sup> References to the Punjab Frontier Crimes Regulation, 1887 (IV of 1887) in this letter are to be read as references to the Frontier Crimes Regulation, 1901 (III of 1901). See letter of the Government of India in the Foreign and Political Department No. D. 481-x/29, dated the 18th February, 1929.

<sup>2</sup> The Punjab Murderous Outrages Act, 1867. Printed Punjab and North-West Code, Ed. 1916, p. 39.

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**CHAPTER IV.—PUNJAB STATES AGENCY.**

The Punjab States Agency comprises the following 13 States:—

Patiala, Bahawalpur, Jind, Nabha, Kapurthala, Mandi, Sirmur, Bilaspur, Malerkotla, Faridkot, Chamba, Suket and Loharu.

These States<sup>1</sup> were in political relations with the Punjab Government till 1921 in which year they were placed in direct relations with the Government of India through the medium of the Agent to the Governor-General, Punjab States, Lahore.

All the States possess powers of life and death over their own subjects. The present ruler of the Sirmur State however has been invested with these powers as a personal mark of distinction for his life only.

There are no Administered Areas in the Punjab States Agency.

The various Railways are included in the North Western Division of Railways according to the classification in Volume VIII.

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<sup>1</sup> Certain other Punjab States are still in political relations with the Punjab Government, *see* Vol. VII, Chapter VII.

STATES IN THE PUNJAB STATES AGENCY.

The following British enactments are in force in the States in the Punjab States Agency:—

I.—Statutes.<sup>1</sup>

II.—Acts of the Governor General in Council and of the Indian Legislature.—*See* Appendix II.

III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* 53 & 54  
Appendix I. Vict., c. 27.

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High 5 & 6 Geo.  
Courts over European British subjects).—*See* Appendix IV. V, c. 61.

IV.—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures.

INDIAN EVIDENCE ACT, 1872.

*Officers in the Patiala State authorised to certify documents.*

No. 98-I., dated the 26th October, 1923.—With reference to the provisions of section 79 of the Indian Evidence Act, 1872 (I of 1872), the Governor General in Council is pleased hereby to declare that the following officers in the Patiala State are duly authorised to certify documents for the purposes of the said section, namely:—

1. The Foreign Secretary and Assistant Foreign Secretary.
2. The Revenue Commissioner.
3. All District and Sessions Judges.
4. All Nazims (District Magistrates).
5. All Naib Nazims Faujdari (Magistrates, 1st Class).
6. All Naib Nazims Dewani (Subordinate Judges).
7. All Naib Nazims Mal (Revenue Assistants).
8. The Registrar, High Court.

[*Gazette of India*, 1923, Pt. I, p. 1509].

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<sup>1</sup> Not enumerated. *See* Preface to this edition, paragraph 4.

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

*Officers appointed Marriage Registrars and licensed to grant certificates of marriage between Indian Christians. Marriage certificates to be sent to Registrar-General, Punjab.*

No. 1304-149-Int., dated the 9th June, 1922.—In exercise of the powers conferred by sections 8, 9 and 56 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased—

- (a) to appoint the person for the time being holding the appointment of Secretary to the Agent to the Governor General, Punjab States, being a Christian, to be a Marriage Registrar in respect of the following States, namely:—

Patiala, Bahawalpur, Jind, Nabha, Kapurthala, Sirmur, Mandi, Bilaspur, Malerkotla, Faridkot, Chamba, Suket and Loharu;

- (b) to license the said officer to grant certificates of marriage between Native Christians within the said States; and

- (c) to appoint the person for the time being holding the appointment of Registrar-General of Births, Deaths and Marriages for the Punjab to be the officer to whom the said Marriage Registrar shall send the certificates mentioned in section 54 of the said Act.

[*Gazette of India*, 1922, Pt. I, p. 659.]

No. 2 P.-1004—P.-476-28, dated the 5th April, 1929.—In exercise of the powers conferred by the Notification of the Government of India in the Foreign and Political Department, No. 116-I., dated the 11th March, 1929, with respect to sections 8, 9 and 56 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Hon'ble the Agent to the Governor General is pleased:—

- (a) to appoint the person for the time being holding the appointment of the Under Secretary to the Hon'ble the Agent to the Governor General, Punjab States, being a Christian, to be a Marriage Registrar in respect of the following States, namely:—

Patiala, Bahawalpur, Jind, Nabha, Kapurthala, Mandi, Sirmur, Bilaspur, Malerkotla, Faridkot, Chamba, Suket and Loharu.

- (b) to license the said officer to grant certificates of marriage between Native Christians within the said States.

- (c) to appoint the person for the time being holding the appointment of Registrar-General of Births, Deaths and Marriages

for the Punjab to be the officer to whom the said Marriage Registrar shall send the certificates mentioned in section 54 of the said Act.

[*Gazette of India*, 1929, Pt. II-A, p. 146.]

*Delegation to the Agent to the Governor General of powers under the Act.*

No. 116-I., dated the 11th March, 1929.—In pursuance of sub-section (2) of section 86 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor-General in Council is pleased to delegate to the Agent to the Governor General, Punjab States Agency, the powers and functions exercisable within the said States by the Governor General in Council under sections 6, 8, 9, 47, 48, 56 and 84 of the said Act.

[*Gazette of India*, 1929, Pt. I, p. 340.]

*Fees and Rules.*

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

NORTHERN INDIA CANAL AND DRAINAGE ACT, 1873.

*Amendment of Rules applicable to the Sirhind Canal.*

No. 644-R. I., dated the 9th May, 1921.—In exercise of the powers conferred by section 75 of the Northern India Canal and Drainage Act, 1873 (Act VIII of 1873) as amended by Acts XVI and IV of 1899 and 1914, respectively the Governor in Council is pleased to direct that the following be introduced as rule 34B to the Rules, under the said Act, applicable to the Sirhind Canal, which were published with Punjab Irrigation Branch Notification No. 2359-I., dated the 13th April, 1883:—

“ 34B. In Native States lands irrigated by British channels, appeals against any charge made under rules 22 to 33 inclusive may be preferred to the Superintending Engineer whose decision shall be final. Similarly in the case of British village lands, irrigated by the Native States channels, appeals against any charge made under rules 22 to 33 inclusive will lie with the Canal Administrative Officer of the State concerned whose decision shall be final.”

[*Punjab Gazette*, 1921, Pt. I, p. 391.]

EUROPEAN VAGRANCY ACT, 1874.

*Provisions brought into force in Punjab States from the 29th February, 1872.*

<sup>1</sup>No. 900, dated the 22nd February, 1872.—In the exercise of the power vested in him by the last clause of section 2 of the European Va-

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<sup>1</sup> This notification is kept in force by s. 2 of Act IX of 1874, and should now be read as referring to ss. 4 to 16, 19, 20, 24 and 29 of that Act.

grancy Act, 1869, His Excellency the Acting Governor General in Council is pleased to extend sections 4 to 16 (both inclusive), 19, 20, 24 and 29 of the said Act to the Punjab, as well as to the dominions of the Princes and States in alliance with Her Majesty, situated within the limits of the Province, with effect from the date<sup>1</sup> of republication of this Notification in the local Gazette of the Government of the Punjab.

[*Gazette of India*, 1872, Pt. I, p. 188.]

#### OPIMUM ACT, 1878.

*Duty on Opium produced in the Punjab States and imported into the Punjab.*

No. 1084, dated the 24th February, 1923.—In exercise of the powers conferred by section 6 of the Opium Act, 1878 (I of 1878), and in supersession of the Notification of the Government of India in the Commerce Department, No. 1052, dated the 25th February, 1922, the Governor General in Council is pleased to direct that duty at the rate of Rs. 47 per seer shall be levied with effect from the 1st April, 1923, upon all opium, except poppy heads, produced in any State in the political control of the Punjab Government or the Agent to the Governor General, Punjab States, and imported into the Punjab.

[*Gazette of India*, 1923, Pt. I, p. 173.]

#### INDIAN ARMS ACT, 1878.

*Exemption of certain persons from certain prohibitions and directions contained in the Act. Rules regarding the export of arms and ammunition from, and their import into, British India.*

No. F. 829-I-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924.)—Printed in Appendix XXIII.

#### BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

*Appointment of Registrar of Births and Deaths and Registrar-General.*

No. 1303-149-Int., dated the 9th June, 1922.—In exercise of the powers conferred by section 13 and by sub-section (2) of section 24 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), and in supersession, so far as it relates to the States, hereinafter-mentioned, of the Notification of the Government of India in the Foreign and Political Department, No. 1873-I. B., dated the 26th June, 1918, the Governor-General in Council is pleased—

- (a) to appoint the person holding for the time being the appointment of Secretary to the Agent to the Governor General,

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<sup>1</sup> It was published in the *Punjab Government Gazette* on the 29th February, 1872, see p. 274 of that Gazette.

Punjab States, to be the Registrar of Births and Deaths for all places within the following States, namely:—

Patiala, Bahawalpur, Jind, Nabha, Kapurthala, Sirmur, Mandi, Bilaspur, Maler Kotla, Faridkot, Chamba, Suket and Loharu; and

- (b) to appoint the person holding for the time being the appointment of Registrar-General of Births, Deaths and Marriages for the Punjab to be the Registrar-General to whom the said Registrar shall send certified copies of entries of births and deaths in the register books maintained by him.

[*Gazette of India*, 1922, Pt. I, p. 658.]

#### *Fees and Rules.*

<sup>1</sup>No. 1173, dated the 19th July, 1888.—Printed in Appendix VI.

INDIAN FOREIGN MARRIAGE ACT, 1903.

#### *Fees.*

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

*Offences under the Criminal Tribes Act declared to be extradition offences.*

No. 4806-I. B., dated the 17th November, 1919.—Printed in Appendix VIII.

*Desertion from certain units of Indian State Forces declared to be an extradition offence.*

No. 405-I., dated the 20th June, 1928.—Printed in Appendix VIII.

#### *Rules under the Act.*

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix VIII.

*Orders as to the delivery of accused persons to Courts of States in the Punjab.*

No. 2682-I., dated the 13th August, 1885.—\* \* The Governor-General in Council is further pleased to direct that for offences committed in any of these States, the persons accused shall be handed over by the Political Agent concerned to the Courts of the States for trial.

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<sup>1</sup> For revised schedules A and B see Notification No. 273, dated the 14th February, 1913. *Punjab Gazette*, 1913, Pt. I, p. 118.

But this direction is subject to the instructions contained in the notification published in the *Gazette of India*,<sup>1</sup> No. 87-J., over the 16th August in 1876, and to the further condition that should there be, in any particular instance, special reasons for his so doing, the Political Agent may dispose of the case himself.

[*Letter of the Government of India.*]

#### INDIAN UNIVERSITIES ACT, 1904.

*Inclusion of Punjab States in the territorial limits of the Punjab University.*

<sup>2</sup>No. 717, dated the 20th August, 1904.—Printed in Appendix IX.

#### PUNJAB MINOR CANALS ACT, 1905.

*Act declared applicable to certain canals.*

No. 55, dated the 29th March, 1909.—In exercise of the powers conferred by section 69 of the Punjab Minor Canals Act (Punjab Act III of 1905), the Local Government declares that sections 1 to 5, 7, 10, 12 to 14, 44, 49, 50, 54, 55, 59 to 62, 64 to 66, 69, 71, 73 and 74 of the said Act shall be applicable to the following canals which are at present situate partly within and partly without the territories to which the Act extends. \* \* \*

*Names of canals.*

- |                    |                           |
|--------------------|---------------------------|
| 1. Sadika Eastern. | 6. Bahawalwah or Jafr Lal |
| 2. Fordwah.        | Dhand.                    |
| 3. Fazilwah.       | 7. Wallanwah.             |
| 4. Minchinwah.     | 8. Jagguwah.              |
| 5. Barneswah.      | 9. Mir Muhammadwah.       |

[*Punjab Gazette*, 1909, Pt. I, p. 236.]

*Public Works and Revenue Minister, Bahawalpur State, authorized to exercise certain powers in regard to the canals named.*

No. 54, dated the 29th March, 1909.—In exercise of the powers conferred by section 70 of the Punjab Minor Canals Act (Punjab Act III of 1905), the Local Government hereby declares that the powers exercisable by a Collector under section 54 of the said Act may, under the

<sup>1</sup> 1876. Pt. I, p. 440. See now Rule 5 (2) (iv) and (v) of notification No. 1862-I. A., dated the 13th May, 1904, printed in Appendix VIII.

<sup>2</sup> At the date of this notification the States now included in the Punjab States Agency were in political relations with the Government of the Punjab.



circumstances there specified, be exercised by the [Public Works and Revenue Minister]<sup>1</sup> of the Bahawalpur State for the time being within the limits of the Punjab for all or any of the purposes of any of the canals mentioned below which are at present situate beyond the limits of the Punjab \* \* \*

*Names of canals.*

- |                       |                                       |                               |
|-----------------------|---------------------------------------|-------------------------------|
| 1. Azam China.        | 18. Bihariwah.                        |                               |
| 2. Parpata.           | 19. Makhdumwah, <i>alias</i> Pirwah.  |                               |
| 3. Daulatwah.         | 20. Carleswah Kuhna.                  |                               |
| 4. Mahmudwah.         | 21. Sadiqwah.                         |                               |
| 5. Ahmadwah (Ubha).   | 22. Daggawah.                         |                               |
| 6. Kaimwah Kuhna.     | 23. Sadikia Western canal.            |                               |
| 7. Marubwah.          | (a) Greywah,                          | { having a<br>common<br>head. |
| 8. Gaganwah..         | (b) Bahadurwah,                       |                               |
| 9. Tolawah.           | (c) Muhammadwah                       |                               |
| 10. Husainwah.        | 25. Amadwah (Lamma).                  |                               |
| 11. Burnwah.          | 26. Mubarakwah <i>alias</i> Khunanwah |                               |
| 12. Bahawalwah Kalan. | 27. Muhammadwah.                      |                               |
| 13. Mubarakwah Kuhna. | 28. Aliwah.                           |                               |
| 14. Pirwah.           | 29. Fazilwah Khurd.                   |                               |
| 15. Sultanwah.        | 30. Sabzalwah.                        |                               |
| 16. Bakhtwah.         | 31. Mahiwah Kuhna.                    |                               |
| 17. Sonwah.           |                                       |                               |

[*Punjab Gazette*, 1909, Pt. I, p. 236.]

*Public Works and Revenue Minister, Bahawalpur State, authorized to exercise certain powers in regard to the canals named.*

No. 56, dated the 29th March, 1909.—In exercise of the powers conferred by section 61 of the Punjab Minor Canals Act (Punjab Act III of 1905), the [Public Works and Revenue Minister]<sup>1</sup> of the Bahawalpur State for the time being is appointed to exercise the powers of a Collector under section 54 (3) of the said Act in respect of the canals enumerated below:—

*Names of canals.*

- |  |                           |                            |
|--|---------------------------|----------------------------|
| 1. Sadikia Eastern,                      | { Ferozepore<br>district. | 5. Barneswah.              |
| 2. Fordwah,                              |                           | 6. Bahawalwah or Jafir Lal |
| 3. Fazilwah,                             |                           | Dhand.                     |
| 4. Minchinwah, Muzaffargarh<br>district. |                           | 7. Wallanwah.              |
|  |                           | 8. Jagguwah.               |
|  |                           | 9. Mir Muhammadwah.        |

[*Punjab Gazette*, 1909, Pt. I, p. 237.]

<sup>1</sup> Substituted by Notification No. 2100-R., dated the 8th April, 1929. *Punjab Gazette*, 1929, Pt. I, p. 323.

OFFICIAL TRUSTEES ACT, 1913.

*Inclusion of States in the Province of the Punjab for purposes of the Act.*

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

*Inclusion of States in the Province of the Punjab for purposes of the Act.*

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix XIII.

*Exercise of the powers and duties of a District Judge under the Act.*

No. 3542-I., dated the 27th August, 1891.—Printed in Appendix XIII.

INDIAN INCOME-TAX ACT, 1922.

*Modifications of income-tax when income-tax has been charged both in British India and in certain States in the Punjab States Agency.*

No. 25, dated the 1st July, 1926.—Printed in Appendix XV.

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## V.—Orders relating to Courts.

### *Execution of capital sentences in British India.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

### *Criminal law and procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

### *Jurisdiction of the High Court at Lahore over European British subjects in the States in the Punjab.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

### *Justices of the Peace to commit for trial to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

### *Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

### *Appointment of Justice of the Peace.*

No. 647-167-I., dated the 24th April, 1923.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased, in supersession of the notification of the Government of India in the Foreign and Political Department No. 741-I. B., dated the 7th May, 1914, to appoint the officers for the time being holding the offices specified in the first column of the Schedule hereto annexed, being European British subjects, to be Justices of the Peace within the territories of the States entered in the second column of the Schedule opposite their respective names, and to direct that the High Court of Judicature at Lahore shall be the Court to which such officers shall commit European British subjects for trial.

*Schedule.*

The Agent to the Governor General, Punjab States—

Bahawalpur.	Malerkotla.
Bilaspur.	Mandi.
Chamba.	Nabha.
Faridkot	Patiala.
Jind.	Sirmur.
Kapurthala.	Suket.
Loharu.	

[*Gazette of India*, 1923, Pt. I, p. 377.]

*Jurisdiction of Criminal Courts of Indian States over Indian officers and soldiers of the Indian Army.*

*Letter of the Government of India, No. 1389-I. A., dated the 18th April, 1905.*—Printed in Appendix XX.

*Reciprocal service of summonses by Civil and Revenue courts of States in the Punjab, and courts in British India.*

*No. 323-I., dated the 15th May, 1929.*—Printed in Appendix XXI-B.

*Reciprocal service of summonses by Criminal courts in British Districts and in Punjab States.*

\* \* \* I am directed to say that there is no objection to the introduction of the reciprocal arrangement for the direct service of summonses for the attendance of witnesses in criminal cases between courts in British districts on the one side and those in the Patiala and Jind States on the other.

\* \* \* \* \*

[*Letter from the Government of the Punjab, No. 3498-S. (Pol.), dated the 13th October, 1913.*]

\* \* \* I am directed to convey sanction to the introduction of reciprocal arrangements for the direct service of summonses for the attendance of witnesses in criminal cases between Courts in British districts on the one side and those in the

(1) Kapurthala State	on the other.
(2) Faridkot and Malerkotla States	
(3) Loharu State	

[*Letter from the Government of the Punjab, No. 1940-S. (Pol.-N. S.), dated the 29th July, 1914.*]

\* \* \* I am directed to say that His Excellency the Governor has no objection to the introduction of reciprocal arrangements for the direct service of summonses for the attendance of witnesses in criminal cases between courts in British districts on the one side and those in the Punjab States noted below on the other. \* \* \*

- |                |            |
|----------------|------------|
| 1. Bahawalpur. | 5. Chamba. |
| 2. Nabha.      | 6. Mandi.  |
| 3. Sirmur.     | 7. Suket.  |
| 4. Bilaspur.   |            |

[Letter from the Government of the Punjab, No. 17399-Pol., dated the 9/11th July, 1924.]



## CHAPTER V.—SIKKIM.

Sikkim was in political relations with the Government of Bengal until the 1st April, 1906, from which date it has been in direct relations with the Government of India through the Political Officer in Sikkim. Since 1905 Bhutan\* has been included in the same Political Agency.

In Sikkim the Political Officer possesses jurisdiction in criminal matters in respect of British subjects, Europeans and Americans, while in civil suits it is optional with British subjects to have recourse to the Political Officer's Court or to the State Courts.

Under the 'Bengal Eastern Frontier Regulation, 1873 (V of 1873), the frontier of the Darjeeling District with Sikkim and the frontiers of the Jalpaiguri, Goalpara, Kamrup and Darrang Districts with Bhutan have been constituted "the Inner Line"<sup>2</sup> which no one, except Government officers on duty and<sup>3</sup> persons of Indian, Nepalese, Bhutanese or Tibetan nationality, may cross from the British side without a pass from the Deputy Commissioner of the District. The Political Officer is empowered to control the movements of persons entering or remaining in the States in contravention of the Regulation and of the rules in force thereunder and to compel them to return to British India where they will be liable to the penalties prescribed by the Regulation for such infringement.

There are no Administered Areas and no railways in the Agency.

The following British enactments are in force in Sikkim:—

### I.—Statutes.<sup>4</sup>

### II.—Acts of the Governor General in Council and of the Indian Legislature.—See Appendix II.

### III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.—See Appendix I.

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII. Courts over European British subjects)—Printed in Appendix IV.

\* Bhutan is outside the scope of this compilation.

<sup>1</sup> Printed Bengal Code, 1913, Vol. I, p. 779. Amended by the Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925), see Notifications Nos. 10999-P. and 11000-P., dated the 5th November, 1925 (*Calcutta Gazette*, 1925, Pt. I, pp. 1780 and 1761). The Regulation extends *proprio vigore* to the Kamrup and Darrang Districts and has been extended to the Darjeeling and Jalpaiguri Districts by Notification No. 605-P., dated the 25th February, 1904. and to the Goalpara District by Notification No. 442, dated the 30th April, 1880. *Gazette of India*, 1904, Pt. II, p. 248, and 1880, Pt. I, p. 255.

<sup>2</sup> Notifications Nos. 717-P. and 719-P., dated the 8th March, 1904. *Calcutta Gazette*, 1904, Pt. I, pp. 378 and 379.

Notification Nos. 1285-P.—1288-P., dated the 15th July, 1905. *Calcutta Gazette*, 1905, Pt. I, pp. 1278 and 1279.

Notification No. 631-P., dated the 8th March, 1876, *Gazette of India*, 1876, Pt. I, p. 131.

Notifications Nos. 6034-J.—6039-J., dated the 7th June, 1906. *Eastern Bengal and Assam Gazette*, 1906, Pt. I, pp. 511—513.

<sup>3</sup> This exemption obtains only in the Darjeeling and Jalpaiguri Districts.

<sup>4</sup> Not enumerated. See Preface to this edition, paragraph 4.



**IV.—Orders under Acts of the Governor General in Council  
and of the Indian Legislature.**

**INDIAN ARMS ACT, 1878.**

*Exemption of certain persons in Indian States from certain prohibitions  
and directions contained in the Act. Rules regarding the export of  
arms and ammunition from and their import into British India.*

No. F. 829-I.-22, dated the 3rd November, 1923.—(The Indian Arms  
Rules, 1924.)—Printed in Appendix XXIII.

**INDIAN FOREIGN MARRIAGE ACT, 1903.**

*Fees.*

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

**INDIAN EXTRADITION ACT, 1903.<sup>1</sup>**

*Offences under the Criminal Tribes Act declared to be Extradition  
Offences.*

No. 4806-I. B., dated the 17th November, 1919.—Printed in Appendix  
VIII.

*Rules under the Act.*

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix  
VIII.

**INDIAN UNIVERSITIES ACT, 1904.**

<sup>2</sup>No. 717, dated the 20th August, 1904.—Printed in Appendix IX.

**INDIAN LUNACY ACT, 1912.**

*Reception and detention in the asylums at Berhampore and Patna of  
lunatics from Sikkim.*

<sup>3</sup>No. 1347-G., dated the 23rd August, 1918.—Printed in Appendix  
XI.

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<sup>1</sup> The Political Officer, Sikkim, has also been appointed Political Agent for Bhutan  
for purposes of the Act. See Notification No. 165-I. B., dated the 25th January,  
1911, in *Gazette of India*, 1911, Pt. I, p. 62.

<sup>2</sup> At the date of this notification Sikkim was a State in political relations with  
the Bengal Government.

<sup>3</sup> See also Notification No. 1346-G., dated the 23rd August, 1918.—Printed in  
Appendix XI.

OFFICIAL TRUSTEES ACT, 1913.

*Inclusion of Sikkim in the Presidency of Bengal for purposes of the Act.*

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High

ADMINISTRATOR GENERAL'S ACT, 1913.

*Inclusion of Sikkim in the Presidency of Bengal for purposes of the Act.*

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix  
XIII.

*Exercise of the powers and duties of a District Judge under the Act.*

No. 3542-I., dated the 27th August, 1891.—Printed in Appendix  
XIII.



**V.—Local Laws.**

*Procedure in making orders for the detention of lunatics from Sikkim in asylums in British India.*

<sup>1</sup>No. 1346-G., dated the 23rd August, 1918.—Printed in Appendix XI.

<sup>1</sup>See also Notification No. 1347-G., dated the 23rd August, 1918, printed in Appendix XI.



## VI.—Orders relating to Courts.

*British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

*Jurisdiction of the High Court at Calcutta over European British subjects in Sikkim.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

*Appointment of the Political Officer, Sikkim, to be a Justice of the Peace in Sikkim.*

No. 1931-I. B., dated the 30th September, 1909.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to appoint the officer for the time being holding the office of Political Officer in Sikkim, being a European British subject, to be a Justice of the Peace within the territories of His Highness the Maharaja of Sikkim.

[*Gazette of India*, 1909, Pt. I, p. 1029.]

*Arrangements for the exercise of criminal and civil jurisdiction in Sikkim.*

No. 64-I., dated the 19th February, 1929.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of the notification of the Government of India in the Foreign Department, No. 1982-I. B., dated the 30th September, 1909, the Governor General in Council is pleased to provide as follows for the administration of

justice in respect of those cases in which the Governor-General in Council has jurisdiction in Sikkim:—

*Part I.—Criminal Jurisdiction.*

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely:—

1. The Political Officer in Sikkim shall exercise the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, 1898 (Act V of 1898), and the British Trade Agent, Gyantse, and the British Trade Agent, Yatung, shall each exercise the powers of a Magistrate of the first class as described in the said Code.

2. In exercise of the jurisdiction of a Court of Session conferred on him by this notification the said Political Officer may take cognisance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate and shall when so taking cognisance of any offence follow the procedure laid down by the said Code for the trial of warrant cases by Magistrates.

3. No appeal shall lie from any sentence passed or order made by the said Political Officer in the exercise of the powers of a District Magistrate.

4. A person convicted by the said Political Officer in the exercise of the powers of a Court of Session may appeal to the High Court of Judicature at Fort William in Bengal and a person convicted by the British Trade Agent, Gyantse or Yatung, in the exercise of the powers of a Magistrate of the first class may appeal to the said Political Officer:

Provided that no appeal shall lie if the sentence passed on such conviction would not have been appealable to the High Court, or in the case of a conviction by the British Trade Agent, Gyantse or Yatung, to the Court of Session, under the law for the time being in force in British India.

*Part II.—Civil Jurisdiction.*

For the purposes of civil jurisdiction the following arrangements shall be made, namely:—

1. The Code of Civil Procedure, 1908 (Act V of 1908), shall apply in so far as the same may be applicable subject to the provisions of this notification and to any amendments to which the said Code is for the time being subject in British India.

2. The Political Officer in Sikkim shall exercise the powers of a District Court as described in the said Code of Civil Procedure.

3. No appeal shall lie from any decree or order of the said Political Officer in the exercise of the civil jurisdiction hereby conferred.

[*Gazette of India*, 1929, Pt. I, p. 136.]

*Jurisdiction of Criminal Courts of Indian States over Indian Officers and soldiers of the Indian Army.*

*Letter of the Government of India, No. 1389-I. A., dated the 18th April, 1905.*—Printed in Appendix XX.

*Courts in British India empowered to send decrees to the Court of the Political Officer in Sikkim for execution.*<sup>1</sup>

*No. 789-I. B., dated the 9th April, 1913.*—Printed in Appendix XXI-A.

*Reciprocal service of summonses by the Chief Court of Sikkim in the exercise of its civil jurisdiction and Courts in British India.*

*No. 323-I., dated the 15th May, 1929.*—Printed in Appendix XXI-B.

*Execution of decrees of the Chief Court of Sikkim by Courts in British India.*

*No. 321-I., dated the 15th May, 1929.*—Printed in Appendix XXI-B.

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<sup>1</sup> For other notifications relating to the service of summonses and execution of decrees of and by Courts established or continued by the Governor General in Council, see Appendices XXI-A, XXI-B, and XXI-C.





